State of Wisconsin

Date of enactment: **October 27, 1999**
1999 Assembly Bill 133 Date of publication*: **October 28, 1999**

1999 WISCONSIN ACT 9

(Vetoed in Part)

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

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

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

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

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

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

(2) Each state agency, where applicable and consistent with other laws, is encouraged to design its programs, policies, infrastructure and investments of the agency to reflect a balance between the mission of the agency and the following local, comprehensive planning goals:

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

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

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

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

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

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

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

(h) Building of community identity by revitalizing main streets and enforcing design standards.

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

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

(k) Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional and local levels.

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

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

(n) Providing an integrated, efficient and economical transportation system that affords mobility, convenience

* Section 991.11, WISCONSIN STATUTES 1997–98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

and safety and that meets the needs of all citizens, including transit–dependent and disabled citizens.

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

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

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

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

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

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

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

Vetoed In Part

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

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

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

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

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13.093 **(3)** (a) All bills introduced in either house of the legislature that create a criminal offense for which a sentence to a state prison or a disposition of placement in a juvenile correctional facility may be imposed, that increase the period of imprisonment in a state prison or placement in a juvenile correctional facility for an existing criminal offense, that require a person to be sentenced to imprisonment in a state prison or a juvenile to be placed in a juvenile correctional facility, or that otherwise affect a penalty provision that increases the statewide probation, parole or extended supervision population shall incorporate a correctional fiscal estimate before any vote is taken thereon by either house of the legislature, if the bill is not referred to a standing committee, before any public hearing is held before a standing committee or, if no public hearing is held, before any vote is taken by the standing committee. The correctional fiscal estimate shall estimate the anticipated state fiscal liability for correctional capital and operational costs under the bill including a projection of such costs for the fiscal year in which the bill becomes effective and the 9 succeeding fiscal years. Correctional fiscal estimates shall be prepared as follows:

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

2. The legislative fiscal bureau shall review the information received from the departments or agencies under subd. 1. The legislative fiscal bureau shall consult with the departments or agencies from which information was received under subd. 1. and the departments or agencies shall provide information as requested by the legislative fiscal bureau as necessary to complete the review. Such review shall be completed within 5 working days from the date the legislative fiscal bureau receives the information under subd. 1.

3. The departments or agencies preparing information under subd. 1. shall prepare a correctional fiscal estimate and submit it to the legislative reference bureau and the legislative fiscal bureau within 3 working days after the date the legislative fiscal bureau's review period under subd. 2. ends. If a department or agency cannot

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make a specific estimate, the department or agency shall establish assumptions, including population estimates, that allow a projection to be made and provide an estimated cost range.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3d. 13.48 (19) of the statutes is amended to read:

13.48 **(19)** ALTERNATIVES TO STATE CONSTRUCTION. Whenever the building commission determines that the use of innovative types of design and construction processes will make better use of the resources and technology available in the building industry, the building commission may waive any or all of s. 16.855 if such action is in the best interest of the state and if the waiver is

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accomplished through formal action of the building commission. ~~The~~ Subject to the requirements of s. 20.924 (1) (j), the building commission may authorize the lease, lease purchase or acquisition of such facilities constructed in the manner authorized by the building commission. The building commission may also authorize the lease, lease purchase or acquisition of existing facilities in lieu of state construction of any project enumerated in the authorized state building program.

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

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

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

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

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

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

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

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

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

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

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

Marquette University, the building commission shall determine that all of the following conditions have been met:

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

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

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

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

1. The option price shall be the appraised fair market value at the time that the option is exercised, less a credit recognizing the amount of the state's construction grant. The option shall be subject to any mortgage or other security interest of any private lenders.

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

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

b. Foreclosure of the mortgage by a private lender.

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

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

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

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

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

13.48 **(34)** DEBT INCREASE FOR THE CONSTRUCTION OF A YOUTH ACTIVITIES CENTER BY THE MILWAUKEE POLICE ATHLETIC LEAGUE. (a) The legislature finds and determines that preventing youth from engaging in delinquent behavior, encouraging positive moral development in youth and providing youth with opportunities for positive interaction with the police are statewide responsibilities of statewide dimension. The legislature also finds and determines that the youth of the city of Milwaukee are disproportionately represented in the state's juvenile correctional system and that, because those youth are so disproportionately represented, the state has a specific concern in preventing those youth from engaging in delinquent behavior, encouraging positive moral development in those youth and providing those youth with opportunities for positive interaction with the police. In addition, the legislature finds and determines that the Milwaukee Police Athletic League prevents that delinquent behavior, encourages that positive moral development and provides those opportunities for positive interaction through the recreational, educational, social and cultural activities that it provides for the youth of the greater Milwaukee community. The legislature, therefore, finds and determines that assisting the Milwaukee Police Athletic League in the construction of a youth activities center at which the Milwaukee Police Athletic League will provide recreational, educational, social and cultural activities for the youth of the greater Milwaukee community under the supervision of volunteer police officers of the city of Milwaukee will have a direct and immediate effect on that specific statewide concern and on those state responsibilities of statewide dimension.

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

(c) If the building commission authorizes a grant to the Milwaukee Police Athletic League under par. (b) and

if, for any reason, the facility that is constructed with funds from the grant is not used as a youth activities center, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3mj. 13.63 (1) (a) of the statutes is amended to read:

13.63 **(1)** (a) An application for a license to act as a lobbyist may be obtained from and filed with the board. ~~An~~ Except as authorized under par. (am), an applicant shall include his or her social security number on the application. The application shall be signed, under the penalty for making false statements under s. 13.69 (6m), by the lobbyist. Upon approval of the application and payment of the applicable license fee under s. 13.75 (1) or (1m) to the board, the board shall issue a license which entitles the licensee to practice lobbying on behalf of each registered principal who or which has filed an authorization under s. 13.65 for that lobbyist and paid the authorization fee under s. 13.75 (4). The license shall expire on December 31 of each even–numbered year.

SECTION 3mk. 13.63 (1) (am) of the statutes is created to read:

13.63 **(1)** (am) If an individual who applies for a license under this section does not have a social security number, the individual, as a condition of obtaining that license, shall submit a statement made or subscribed under oath or affirmation to the board that the individual does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 3mL. 13.63 (1) (b) of the statutes is amended to read:

13.63 **(1)** (b) ~~The~~ Except as provided under par. (am), the board shall not issue a license to an applicant who does not provide his or her social security number. The board shall not issue a license to an applicant or shall revoke any license issued to a lobbyist if the department of revenue certifies to the board that the applicant or lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to issue a license or shall suspend any existing license for failure of an 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 failure of an 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. No other application may be disapproved by the board except an application for a license by a person who is ineligible for licensure under this subsection or s. 13.69 (4) or an application by a lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only for the period of such ineligibility or revocation.

SECTION 3mm. 13.64 (1) (a) of the statutes is amended to read:

13.64 **(1)** (a) If the principal is an individual, the name and address of the individual's employer, if any, or the individual's principal place of business if self–employed, a description of the business activity in which the individual or the individual's employer is engaged and, except as authorized in sub. (2m), the individual's social security number.

SECTION 3mn. 13.64 (2) of the statutes is amended to read:

13.64 **(2)** The registration shall expire on December 31 of each even–numbered year. ~~The~~ Except as provided in sub. (2m), the board shall refuse to accept a registration statement filed by an individual who does not provide his or her social security number. The board shall refuse to accept a registration statement filed by an individual or shall suspend any existing registration of an individual for failure of the individual or registrant 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 failure of the individual or registrant 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 proceeding, as provided in a memorandum of understanding entered into under s. 49.857. If all lobbying by or on behalf of the principal which is not exempt under s. 13.621 ceases, the board shall terminate the principal's registration and any authorizations under s. 13.65 as of the day after the principal files a statement of cessation and expense statements under s. 13.68 for the period covering all dates on which the principal was registered. Refusal to accept a registration statement or suspension of an existing registration pursuant to a memorandum of understanding under s. 49.857 is not subject to review under ch. 227.

SECTION 3mo. 13.64 (2m) of the statutes is created to read:

13.64 **(2m)** If an individual who applies for registration under this section does not have a social security number, the individual, as a condition of obtaining registration, shall submit a statement made or subscribed under oath or affirmation to the board that the individual does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A registration accepted in reliance upon a false statement submitted under this subsection is invalid.

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

13.67 Identification of legislative and administrative proposals and topics. (1) Except as authorized under s. 13.621, no person may engage in lobbying as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to engage in lobbying on its behalf unless the principal reports to the board, in such manner as the board may prescribe, each ~~bill or~~ legislative proposal, budget bill subject and proposed administrative rule number in connection with which the principal has made or intends to make a lobbying communication or, if the lobbying does not relate to a legislative proposal or proposed administrative rule that has been numbered or a budget bill subject, each topic of a lobbying communication made or intended to be made by the principal. A principal shall describe any topic of a lobbying communication with reasonable specificity, sufficient to identify the subject matter of the lobbying communication and whether the communication is an attempt to influence legislative or administrative action, or both. The principal shall file the report no later than the end of the 15th day after the date on which the principal makes a lobbying communication with respect to a legislative proposal ~~or~~, proposed administrative rule, budget bill subject or other topic not previously reported by the principal under this section during the biennial period for which the principal is registered. ~~With respect to a lobbying communication relating to the executive budget bill or bills introduced under s. 16.47, the principal shall further identify from among topics provided by the board the topic or topics of its lobbying communications, if any.~~ The report shall be made by a person who is identified by the principal under s. 13.64 (1) (e).

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

proposed administrative rule, budget bill subject or other topic.

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

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

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

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

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

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

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

13.94 **(1)** (p) No later than January 1, 2008, prepare a program evaluation audit of the private employer health care coverage program established under subch. X of ch. 40. The legislative audit bureau shall file a copy of the audit report under this paragraph with the distributees specified in par. (b).

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

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

13.94 **(4)** (a) 1. Every state department, board, examining board, affiliated credentialing board, commission, independent agency, council or office in the executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature including specifically a professional baseball park district and a family care district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical college district boards; development zones designated under s. 560.71; every county department under s. 51.42 or 51.437; every nonprofit corporation or cooperative to which moneys are specifically appropriated by state law; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

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

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

SECTION 6g. 13.94 (8) of the statutes is created to read:

13.94 **(8)** COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. (a) In this subsection, "municipality" means a city, village or town.

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

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

2. Determine the methods of governmental service delivery.

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

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

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

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

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

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

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

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

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

SECTION 7m. 14.035 of the statutes is renumbered 14.035 (1) and amended to read: **Vetoed In Part**

14.035 **(1)** ~~The~~ Subject to sub. (2), the governor may, on behalf of this state, enter into any compact that has been negotiated under 25 USC 2710 (d).

SECTION 7n. 14.035 (2) of the statutes is created to read:

Vetoed In Part

14.035 **(2)** Before entering into any compact negotiated under sub. (1), the governor shall submit the proposed compact to the legislature for approval. The governor may not enter into any compact until the legislature approves the compact by joint resolution. If the legislature does not approve without change the proposed compact, the proposed compact shall be returned to the governor for renegotiation.

SECTION 7q. 14.037 of the statutes is created to read:

14.037 Indian gaming on lands taken into trust after October 17, 1988. The governor may not concur with the determination of the U.S. secretary of the interior, as described in 25 USC 2719 (b) (1) (A), that an Indian gaming establishment proposed to be located on lands acquired by the U.S. secretary of the interior in trust for the benefit of an Indian tribe after October 17, 1988, except an Indian gaming establishment proposed to be located at Dairyland Greyhound Park, would not be detrimental to the surrounding community unless the legislature approves the proposed gaming establishment by joint resolution.

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

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

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

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

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

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

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

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

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

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

SECTION 11p. 14.26 (7) of the statutes is created to read:

14.26 **(7)** Notwithstanding sub. (6), the secretary of administration may expend from the appropriation under s. 20.505 (1) (s) for the payment of obligations incurred by the Wisconsin sesquicentennial commission that remain unpaid as of the effective date of this subsection .... [revisor inserts date].

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

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

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

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

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

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

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

SECTION 13m. 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 provided to the department of transportation as required under s. 189.02 (7) and 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.

Vetoed In Part

SECTION 14g. 15.07 (1) (a) 7. of the statutes is created to read:

15.07 **(1)** (a) 7. The members of the Milwaukee school construction board shall be appointed as provided in s. 15.77.

SECTION 14j. 15.07 (1) (b) 19. of the statutes is repealed.

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

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

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

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.

Vetoed In Part

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

15.07 **(4)** QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the ethics board ~~or~~, the school district boundary appeal board or the Milwaukee school construction board as provided in ss. 15.77 (2), 19.47 (4) and 117.05 (2) (a).

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 28am. 15.105 (27) of the statutes is created to read:

15.105 **(27)** CENSUS EDUCATION BOARD. There is created a census education board which is attached to the department of administration under s. 15.03. The board shall consist of 2 senators and 2 representatives to the assembly who shall be appointed in the same manner as members of standing committees of the legislature are appointed.

SECTION 28an. 15.105 (27) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 28at. 15.107 (17) of the statutes is created to read:

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

(a) Two members appointed by the governor.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 28fc. 15.165 (5) of the statutes is created to read:

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

1. One member who represents health maintenance organizations.

2. One member who represents hospitals.

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

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

5. One member who represents insurers.

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

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

8. Two members who represent the public interest.

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

SECTION 28fd. 15.165 (5) of the statutes, as created by 1999 Wisconsin Act .... (this act), section 28c, is repealed.

SECTION 30a. 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 30d. 15.195 (1) of the statutes is created to read:

Vetoed In Part

15.195 **(1)** TOBACCO CONTROL BOARD. (a) There is created a tobacco control board attached to the department of health and family services under s. 15.03, except that the secretary of health and family services shall submit to the department of administration the proposed budget of the board exactly as prepared by the board to the extent that it comports with the requirements of the department of administration. The tobacco control board shall consist of the following members:

Vetoed In Part

1. The attorney general or his or her designee.

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

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

4. The superintendent of public instruction.

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

6. One student from the University of Wisconsin System.

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

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

Vetoed In Part

9. One local health officer.

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

11. One retailer who sells tobacco products.

12. One representative of a hospital.

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

(c) The board shall meet at least 4 times per year. Ten members constitute a quorum. For the purpose of conducting business and exercising its powers, a majority vote of the members of the board is required.

SECTION 30g. 15.195 (6) of the statutes is amended to read:

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

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

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

(a) A statistician or researcher.

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

(c) An expert in issues relating to privacy.

(d) A purchaser of health care.

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

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

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

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

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

Vetoed In Part

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

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

1. One representative of independent retail grocery stores.

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

3. One representative of convenience stores.

4. One representative of pharmacies.

5. One representative of financial institutions.

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

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

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

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

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

(d) This subsection does not apply beginning on January 1, 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 36r. 15.225 (2) (b) of the statutes is amended to read:

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

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

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

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

1. The governor.

2. The state superintendent of public instruction.

3. The president of the technical college system board.

4. The director of the technical college system board.

5. The secretary of workforce development.

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

6g. One member who is a representative of organized labor and one member who is a representative of business and industry, appointed as are the members of assembly standing committees.

6m. One member who is a representative of organized labor and one member who is a representative of business and industry, appointed as are the members of senate standing committees.

7g. Two members who are representatives of organized labor, appointed by the governor to serve at the pleasure of the governor.

8g. Two members who are representatives of business and industry, appointed by the governor to serve at the pleasure of the governor.

8m. Two members having experience in secondary vocational education and work–based learning who are not public officers and who do not possess the qualifications of the members under subds. 6g., 6m., 7g. and 8g. appointed by the governor to serve at the pleasure of the governor.

9. One member, who is not a public officer and who does not possess the qualifications of the members under subds. 6g., 6m., 7g. and 8g., to represent the interests of the public, appointed by the governor to serve at the pleasure of the governor.

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

SECTION 37h. 15.343 of the statutes is created to read:

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

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

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

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

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

1. Three parents of children who are visually impaired.

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

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

4. One school board member.

5. One school district administrator.

6. One school district special education director.

7. One cooperative educational service agency representative.

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

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

SECTION 37k. 15.406 (4) of the statutes is created to read:

15.406 **(4)** ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. There is created in the department of regulation and licensing, attached to the medical examining board, an athletic trainers affiliated credentialing board consisting of the following members appointed for 4–year terms:

(a) Four athletic trainers who are licensed under subch. VI of ch. 448 and who have not been issued a credential in athletic training by a governmental authority in a jurisdiction outside this state. One of the athletic trainer members may also be licensed under ch. 446 or 447 or subch. II, III or IV of ch. 448.

(b) One member who is licensed to practice medicine and surgery under subch. II of ch. 448 and who has experience with athletic training and sports medicine.

(c) One public member.

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

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

Vetoed In Part

SECTION 40k. 15.77 of the statutes is created to read:

15.77 Milwaukee school construction board. (1) There is created a Milwaukee school construction board consisting of all of the following:

(a) One senator and one representative to the assembly appointed as are the members of standing committees in their respective houses.

(b) One person appointed by the mayor of the city of Milwaukee.

(c) One person appointed by the governor.

(2) Any action of the Milwaukee school construction board requires the affirmative vote of 3 of its members.

(3) The Milwaukee school construction board does not have rule–making authority.

(4) The board of school directors of the school district operating under ch. 119 shall assist the Milwaukee school construction board in the performance of its duties.

(5) This section does not apply after the first day of the 60th month beginning after the effective date of this subsection .... [revisor inserts date].

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

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

SECTION 40t. 16.004 (14) of the statutes is created to read:

16.004 **(14)** GRANTS TO TECHNICAL COLLEGES. From the appropriation under s. 20.505 (4) (e), the secretary shall award grants to technical college district boards to develop or expand programs in occupational areas in which there is a high demand for workers, and to make capital expenditures that are necessary for such development or expansion, as determined by the secretary. The department shall promulgate rules establishing criteria for judging grant applications.

Vetoed In Part

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.

Vetoed In Part

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

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

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

2. "Transaction" means a conveyance of land rights.

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

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

2. The date of the transaction.

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

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

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

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

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

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

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

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

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

(a) Public security.

(b) Public health.

(c) Public infrastructure.

(d) Public employe training.

(e) Economic development.

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

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

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

SECTION 51m. 16.23 of the statutes is repealed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. If the beneficiary is awarded a scholarship, tuition waiver or similar subsidy that cannot be converted into cash by the beneficiary, refund to the person who entered into the contract, upon the person's request, an amount equal to the value of the tuition units that are not needed because of the scholarship, waiver or similar subsidy and that would otherwise have been paid by the ~~department~~ state treasurer on behalf of the beneficiary during the semester in which the beneficiary is enrolled.

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

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

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

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

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

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

14.63 **(8)** EXEMPTION FROM GARNISHMENT, ATTACHMENT AND EXECUTION. Moneys deposited in the tuition trust fund and a beneficiary's right to the payment of tuition and mandatory student fees under this section are not subject to garnishment, attachment, execution or any other process of law.

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

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

advise the ~~department~~ state treasurer on setting the price of a tuition unit under sub. (2) (b).

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

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

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

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

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

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

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

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

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

SECTION 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. The department shall ensure that the funds for the grants are reasonably balanced among geographic areas of the state, consistent with the quality of applications submitted.

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

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

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

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

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

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

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

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

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

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

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

SECTION 70m. 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 78. 16.54 (2) (a) 2. of the statutes is amended to read:

16.54 **(2)** (a) 2. Whenever a block grant is made to this state under any federal law enacted after August 31, 1995, which authorizes the distribution of block grants for the purposes for which the grant is made, the governor shall not administer and no board, commission or department may encumber or expend moneys received as a part of the grant unless the governor first notifies the cochairpersons of the joint committee on finance, in writing, that the grant has been made. The notice shall contain a description of the purposes proposed by the governor for expenditure of the moneys received as a part of the grant. If the cochairpersons of the committee do not notify the governor that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure of grant moneys within 14 working days after the date of the governor's notification, the moneys may be expended as proposed by the governor. If, within 14 working days after the date of the governor's notification, the cochairpersons of the committee notify the governor that the committee has scheduled a meeting for the purpose of reviewing the proposed expenditure of grant moneys, no moneys received as a part of the grant may be expended without the approval of the committee. This subdivision does not apply to the expenditure of block grant funds that are allocated under s. 49.175.

SECTION 78t. 16.54 (11m) of the statutes is created to read:

16.54 **(11m)** All moneys received by the state as national forest income under 16 USC 500 shall be distributed to school districts that contain national forest lands within their boundaries. The distribution to each school district shall reflect the proportion of national forest acreage located within the school district.

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

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

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

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

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

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

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

(b) If the state is required to pay any interest payments to the federal government relating to the timing of expenditures by the state pursuant to a federal government grant program or federal government contract, the secretary shall notify the cochairpersons of the joint committee on finance, in writing, that the state is required to pay an interest payment. The notice shall contain an

Vetoed In Part

accounting of the amount of interest that the state is required to pay. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed payment of interest within 14 working days after the date of the secretary's notification, the payment may be made as proposed by the secretary. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed interest payment, no interest payment may be made without the approval of the committee.

Vetoed In Part

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

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

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

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

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

16.72 **(2)** (b) Except as provided in ~~s.~~ ss. 16.751 and 565.25 (2) (a) 4., the department shall prepare or review specifications for all materials, supplies, equipment, other permanent personal property and contractual services not purchased under standard specifications. Such "nonstandard specifications" may be generic or performance specifications, or both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.

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

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

Vetoed In Part

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

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

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

Vetoed In Part

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

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

Vetoed In Part

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

16.74 **(5m)** In writing specifications for purchases under this section, the joint committee on legislative organization, house, legislative service agency, director of state courts or judicial branch agency shall ensure that specifications include a prohibition against the purchase of a toner cartridge, as defined in s. 16.72 (2) (e) 2. a., whose original manufacturer places restrictions on the remanufacturing of the toner cartridge by any person other than the original manufacturer. Restrictions on remanufacturing include reducing the price of the toner cartridge in exchange for an agreement not to remanufacture the toner cartridge, a licensing agreement on the toner cartridge that forbids remanufacturing and any contract that forbids the remanufacturing or recycling of a toner cartridge. Trade names may be used in specifications written under this subsection.

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

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

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

16.75 **(2m)** (g) After receiving each offerer's best and final offer, the department shall determine which proposal is most advantageous and shall award the order

or contract to the person who offered it. The department's determination shall be based only on price and the other evaluation factors specified in the request for proposals. The department shall state in writing the reason for the award and shall place the statement in the contract file. This paragraph does not apply to procurements under s. 16.751.

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

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

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

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

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

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

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

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

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

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

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

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

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

16.76 **(4)** (f) The department may appoint one or more fiscal agents for each master lease. Each fiscal agent shall be an incorporated bank or trust company authorized by the laws of the United States or of the state in which it is located to do business as a banking or trust company. ~~Sections 16.705 and 16.75 do not apply to contracts for fiscal agent services.~~ The department shall periodically require competitive proposals, under procedures established by the department, for fiscal agent services under this paragraph. There may be deposited with a fiscal agent, in a special account for such purpose only, a sum estimated to be sufficient to enable the fiscal agent to make all payments which will come due under the master lease not more than 15 days after the date of deposit. The department may make such other provisions respecting fiscal agents as it considers necessary or useful and may enter into a contract with any fiscal agent containing such terms, including compensation, and conditions in regard to the fiscal agent as it considers necessary or useful.

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

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

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

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

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

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

SECTION 105e. 16.853 of the statutes is created to read: **Vetoed In Part**

16.853 Grant to Heritage Military Music Foundation. If the Heritage Military Music Foundation requests the department to review an estimate of the cost of improvements to its building in the city of Watertown, the department shall review the estimate. If the department approves the estimate, the department shall provide a

Vetoed In Part

grant to the foundation in the amount of $85,300 for the purpose of making improvements to that building.

SECTION 105f. 16.853 of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

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

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

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

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

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

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

16.858 **(2)** (a) ~~Any~~ A contract under sub. (1) ~~shall require~~ may provide for the construction work to be financed by the state or by the contractor ~~to undertake the construction work at its own expense~~. The contract shall provide for the state to pay a ~~maximum~~ stated amount, which shall include any financing costs incurred by the contractor. The ~~maximum~~ stated amount may not exceed the minimum savings determined under the audit to be realized by the state within the period specified in the audit. The state shall make payments under the contract as the savings identified in the audit are realized by the state, in the amounts actually realized, but not to exceed the lesser of the ~~maximum~~ stated amount or the actual amount of the savings realized by the state within the period specified in the audit. If the department provides financing for construction work, the department may finance any portion of the cost of the work under a master lease entered into as provided under s. 16.76 (4). If the department provides financing for the construction work and the stated amount to be paid by the state under the contract is greater than the amount of the savings realized by the state within the period specified in the audit under sub. (1), the contract shall require the contractor to remit the difference to the department.

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

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

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

SECTION 109. 16.956 of the statutes is repealed.

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

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

(bm) "Commission" means the public service commission.

(c) "Commitment to community program" means a program by a municipal utility or retail electric cooperative for low–income assistance or an energy conservation program by a municipal utility or retail electric cooperative.

(cm) "Council" means the council on utility public benefits created under s. 15.107 (17).

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

(e) "Division of housing" means the division of housing in the department. Vetoed In Part

(f) "Electric provider" means an electric utility or retail electric cooperative.

(g) "Electric utility" means a public utility that owns or operates a retail electric distribution system.

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

(i) "Fiscal year" has the meaning given in s. 655.001 (6).

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

(L) "Low–income assistance" means assistance to low–income households for weatherization and other energy conservation services, payment of energy bills or early identification or prevention of energy crises.

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

(n) "Low–income need" means the amount obtained by subtracting from the total low–income energy bills in a fiscal year the product of 2.2% of the estimated average annual income of low–income households in this state in that fiscal year multiplied by the estimated number of low–income households in this state in that fiscal year.

(o) "Low–income need percentage" means the percentage that results from dividing the sum of the following by the amount of low–income need in fiscal year 1998–99:

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

1m. The amount of the portion of the public benefits fee for fiscal year 1999–2000 that is specified in sub. (4) (c) 1. The amount specified in this subdivision shall not be subject to the reduction under 1999 Wisconsin Act .... (this act), section 9101 (1zv) (a).

2. The total amount expended by utilities under s. 196.374 related to low–income assistance.

3. Fifty percent of the amount of public benefits fees that municipal utilities and retail electric cooperatives are required to charge under sub. (5) (a) in fiscal year 1999–2000. The amount specified in this subdivision shall not be subject to the reduction under 1999 Wisconsin Act .... (this act), section 9101 (1zv) (c).

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

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

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

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

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

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

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

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

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

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

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

(a) *Low–income programs.* After holding a hearing, establish programs to be administered by the department through the division of housing for awarding grants from the appropriation under s. 20.505 (10) (r) to provide low–income assistance. In each fiscal year, the amount awarded under this paragraph shall be sufficient to ensure that an amount equal to 47% of the sum of the following is spent for weatherization and other energy conservation services: **Vetoed In Part**

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

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

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

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

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

a. Proposals for providing energy conservation or efficiency services. In awarding grants under this subd. 1. a., the department shall give priority to proposals directed at the sectors of energy conservation or efficiency markets that are least competitive and at promoting environmental protection, electric system reliability or rural economic development. In each fiscal year, 1.75% of the appropriation under s. 20.505 (10) (s) shall be awarded in grants for research and development proposals regarding the environmental impacts of the electric industry.

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

2. For each fiscal year after fiscal year 2003–04, determine whether to continue, discontinue or reduce any of the programs established under subd. 1. and determine the total amount necessary to fund the programs that the department determines to continue or reduce under this subdivision. The department shall notify the commission if the department determines under this subdivision to reduce funding by an amount that is greater than the portion of the public benefits fee specified in sub. (4) (c) 2. The notice shall specify the portion of the reduction that exceeds the amount of public benefits fees specified in sub. (4) (c) 2.

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

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

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

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

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

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

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

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

2. Encourage customers or members to make voluntary contributions to assist in funding the programs established under pars. (a) and (b) 1. The department shall deposit all contributions received under this paragraph in the utility public benefits fund.

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

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

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

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

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

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

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

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

(c) In selecting proposals and awarding grants under sub. (2) (b), the department or a nonprofit corporation

specified in par. (b) may not discriminate against an electric provider or its affiliate or a wholesale electric supplier or its affiliate solely on the basis of its status as an electric provider, wholesale electric supplier or affiliate.

(4) ELECTRIC UTILITIES. (a) *Requirement to charge public benefits fees.* Each electric utility, except for a municipal utility, shall charge each customer a public benefits fee in an amount established in rules promulgated by the department under par. (b). An electric utility, except for a municipal utility, shall collect and pay the fees to the department in accordance with the rules promulgated under par. (b). The public benefits fees collected by an electric utility shall be considered trust funds of the department and not income of the electric utility.

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

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

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

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

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

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

1. 'Low–income funding.' In fiscal year 1999–2000, a portion of the public benefits fee shall be an amount that, when added to 50% of the estimated public benefits fees charged by municipal utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year, shall equal $24,000,000. In each fiscal year after fiscal year 1999–2000, a portion of the public benefits fee shall be an amount that, when added to the sum of the following shall equal the low–income need target for that fiscal year determined by the department under sub. (2) (d) 1.:

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

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

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

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

3. 'Limitation on electric bill increases.' For the period beginning on the effective date of this subdivision .... [revisor inserts date], and ending on June 30, 2008, the total increase in a customer's electric bills that is based on the requirement to pay public benefits fees, including any increase resulting from an electric utility's compliance with this section, may not exceed 3% of the total of every other charge for which the customer is billed for that period or $750 per month, whichever is less.

(5) MUNICIPAL UTILITIES AND RETAIL ELECTRIC COOPERATIVES. (a) *Requirement to charge public benefits fees.* Each retail electric cooperative and municipal utility shall charge a monthly public benefits fee to each customer or member in an amount that is sufficient for the retail electric cooperative or municipal utility to collect an annual average of $16 per meter. A retail electric cooperative or municipal utility may determine the amount that a particular class of customers or members is required to pay under this paragraph and may charge different fees to different classes of customers or members.

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

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

2. No later than every 3rd year after the date specified in subd. 1., each municipal utility or retail electric cooperative shall notify the department whether it has elected

to contribute to the programs established under sub. (2) (a) or (b) 1. for a 3–year period.

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

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

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

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

b. Spend 50% of the public benefits fees that it charges under par. (a) on energy conservation programs.

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

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

b. Spend 50% of the public benefits fees that it charges under par. (a) on programs for low–income assistance.

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

a. Spend 50% of the public benefits fees that it charges under par. (a) on programs for low–income assistance.

b. Spend 50% of the public benefits fees that it charges under par. (a) on energy conservation programs.

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

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

2. Include an amount equal to the product of the municipal utility's or retail electric cooperative's wholesale supply percentage and the amount that the wholesale supplier has spent on energy conservation programs or customer applications of renewable resources in a fiscal year in calculating the amount that the municipal utility or retail electric cooperative has spent on energy conservation programs under par. (d) 1. b. or 3. b.

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

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

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

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

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

SECTION 109no. 16.958 of the statutes is created to read:

16.958 Air quality improvement program. (1) In this section:

(a) "Eligible electric provider" means a generator public utility or a generator electric cooperative that provides electric service to customers or members in the midcontinent area of this state.

(b) "Generator electric cooperative" means an electric cooperative, as defined in s. 76.48 (1g) (c), that generates electricity.

(c) "Generator public utility" means a public utility, as defined in s. 196.01 (5), that generates electricity.

(d) "Initial compliance date" means the date specified in a notice by the department of natural resources under s. 285.48 (2) by which electric generating facilities in the midcontinent area of this state are required to comply with initial nitrogen oxide emission reduction requirements.

(e) "Midcontinent area" means the geographic area served by the Mid–Continent Area Power Pool reliability council of the North American Electric Reliability Council.

(2) If the department of natural resources makes a notification to the department of administration under s. 285.48 (2), the department of administration shall do each of the following:

(a) In each fiscal year of the 10–year period that commences on July 1 of the fiscal year ending before the initial compliance date, transfer $2,500,000, or the lesser amount specified in a notice under s. 285.48 (3) (d) 4., from the utility public benefits fund to the air quality improvement fund.

(b) From the air quality improvement fund, award grants to eligible electric providers to be used for the purpose of complying with requirements under state or federal law to reduce nitrogen oxide emissions in the midcontinent area of this state pursuant to a state implementation plan. An eligible electric provider that is a public utility may receive no more than $500,000 per year in grants under this paragraph.

(c) Promulgate rules for awarding grants under par. (b). The rules shall require an applicant for a grant to identify the reduction in nitrogen oxide emissions that the applicant is capable of achieving with the grant.

(3) An eligible electric provider that is awarded a grant under sub. (2) (b) may assign the grant to a 3rd party if the 3rd party uses the grant for the purpose of reducing nitrogen oxide emissions and the eligible electric provider demonstrates to the satisfaction of the department of administration that the 3rd party is capable of achieving the reduction in nitrogen oxide emissions identified in the eligible electric provider's application for the grant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) From the appropriation under s. 20.505 (1) (cm), 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 a percentage of the cost of the product or service to be funded by the grant from the resources of the local governmental unit. The department shall determine the percentage of the cost to be funded by a local governmental unit based on the number of applications for grants and the availability of funding to finance grants for the fiscal year in which grants are to be provided. A local governmental unit that desires to receive a grant under this subsection shall file an application with the department. The application shall contain a complete statement of the expenditures proposed to be made for the purposes of the grant. No local governmental unit is eligible to receive a grant under this subsection unless the local governmental unit agrees to utilize the grant to finance planning for all of the purposes specified in s. 66.0295 (2).

Vetoed In Part

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

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

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

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

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

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

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

(b) Planning efforts that contain a specific description of the means by which all of the following local, comprehensive planning goals will be achieved:

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

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

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

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

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

6. Preservation of cultural, historic and archaeological sites.

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

8. Building of community identity by revitalizing main streets and enforcing design standards.

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

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

11. Promoting the expansion or stabilization of the current economic base and the creation of a range of employment opportunities at the state, regional and local levels.

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

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

14. Providing an integrated, efficient and economical transportation system that affords mobility, convenience and safety and that meets the needs of all citizens, including transit–dependent and disabled citizens.

(c) Planning efforts that identify smart growth areas.

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

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

(f) Planning efforts that provide opportunities for public participation throughout the planning process.

Vetoed In Part

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

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

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

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

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

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

(2) From the appropriation under s. 20.505 (1) (z), the department may provide grants to local governmental units to be used to finance the cost of planning activities related to the transportation element, as described in s. 66.0295 (2) (c), of a comprehensive plan, as defined in s. 66.0295 (1) (a), including contracting for planning consultant services, public planning sessions and other planning outreach and educational activities, or for the purchase of computerized planning data, planning software or the hardware required to utilize that data or software. The department may require any local governmental unit that receives a grant under this section to finance not more than 25% of the cost of the product or service to be funded by the grant from the resources of the local governmental unit. Prior to awarding a grant under this section, the department shall forward a detailed statement of the proposed expenditures to be made under the grant to the secretary of transportation and obtain his or her written approval of the proposed expenditures.

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

Vetoed In Part

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

Vetoed In Part

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

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

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

16.969 Fees for certain high–voltage transmission lines. (1) In this section:

(a) "Commission" means the public service commission.

(b) "High–voltage transmission line" means a high–voltage transmission line, as defined in s. 196.491 (1) (f), that is designed for operation at a nominal voltage of 345 kilovolts or more.

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

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

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

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

(b) The fee that is paid by a person under the rules promulgated under sub. (2) (b) shall be distributed as follows:

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

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

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

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

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

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

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 dis-

tricts~~,~~ 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 Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf with telecommunications access under s. 44.73 and contract with telecommunications providers to provide such access.

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

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

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

17.13 Removal of village, town, town sanitary district, school district ~~and~~, technical college 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 obligation": ss. 18.02, 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18.53 **(3)** (intro.) The commission shall authorize money to be borrowed and evidences of revenue obligation to be issued ~~therefor up to the amounts specified by~~

~~the legislature to purchase, acquire, lease, construct, extend, expand, add to, improve, conduct, control, operate or manage such revenue–producing enterprises or programs as are specified by the legislature as the funds are required~~. The requirements for funds shall be established by the state department or agency head carrying out program responsibilities for which the revenue obligations have been authorized by the legislature~~.~~, but shall not exceed the following:

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

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

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

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

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

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

18.56 Revenue ~~bonds~~ obligations. The commission may authorize, for any of the purposes described in s. 18.53 (3), the issuance of ~~revenue–obligation bonds~~ revenue obligations. The ~~bonds~~ revenue obligations shall mature at any time not exceeding 50 years from the date thereof as the commission shall determine. The ~~bonds~~ revenue obligations shall be payable only out of the redemption fund provided under ~~sub.~~ s. 18.561 (5) or 18.562 (3) and each ~~bond~~ revenue obligation shall contain on its face a statement to that effect. ~~Any such bonds~~ A revenue obligation may contain a provision authorizing redemption, in whole or in part, at stipulated prices, at the option of the commission and shall provide the method of redeeming the ~~bonds. The state and a contracting party may provide in any contract for purchasing or acquiring a revenue–producing enterprise or program, that payment shall be made in such bonds~~ revenue obligations.

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

18.561 **(2)** SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS. There ~~shall be~~ is a mortgage lien upon or security interest in the income and property of each revenue–producing enterprise or program ~~to~~ for the benefit of the ~~holders~~ owners of the related ~~bonds and to the holders of the coupons of the bonds. The note or other instrument evidencing the security interest of a bondholder in a loan made or purchased with revenue obligation bonds shall constitute a statutory lien on the revenue~~ enterprise obligations. No physical delivery, recordation or other action is required to perfect the security interest. The income and property of the revenue–producing enterprise or program shall remain subject to the lien until provision for payment in full of the principal and interest of the ~~bonds~~ enterprise obligations has been made, as provided in the authorizing resolution. Any ~~holder~~ owner of such ~~bonds or attached coupons~~ enterprise obligations may either at law or in equity protect and enforce the lien and compel performance of all duties required by this section. If there is any default in the payment of the principal or interest of any of such ~~bonds~~ enterprise obligations, any court having jurisdiction of the action may appoint a receiver to administer the revenue–producing enterprise or program on behalf of the state and the ~~bondholders~~ owners of the enterprise obligations, with power to charge and collect rates sufficient to provide for the payment of the operating expenses and also to pay any ~~bonds or~~ enterprise obligations outstanding against the revenue–producing enterprise or program, and to apply the income and revenues thereof in conformity with this subchapter and the authorizing resolution, or the court may declare the whole amount of the ~~bonds~~ enterprise obligations due and payable, if such relief is requested, and may order and direct the sale of the revenue–producing enterprise or program. Under any sale so ordered, the purchaser shall be vested with an indeterminate permit to maintain and operate the revenue–producing enterprise or program. The legislature may provide for additions, extensions and improvements to a revenue–producing enterprise or program to be financed by additional issues of ~~bonds~~ enterprise obligations as provided by this section. Such additional issues of ~~bonds~~ enterprise obligations shall be subordinate to all prior related issues of ~~bonds~~ enterprise obligations which may have been made under this section, unless the legislature, in the statute authorizing the initial issue of ~~bonds~~ enterprise obligations, permits the issue of additional ~~bonds~~ enterprise obligations on a parity therewith.

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

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

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

(5) REDEMPTION FUND. The proportion which shall be set aside for the payment of the principal and interest ~~of such bonds~~ on the enterprise obligations shall from month to month as they accrue and are received, be set apart and paid into a separate fund in the treasury or in an account maintained by a trustee ~~under sub. (9) (j)~~ appointed for that purpose in the authorizing resolution to be identified as "the ... redemption fund". Each redemption fund shall be expended, and all moneys from time to time on hand therein are irrevocably appropriated, in sums sufficient, only for the payment of principal and interest on the ~~revenue~~ enterprise obligations giving rise to it and premium, if any, due upon ~~refunding~~ redemption of any such obligations. Moneys in the redemption funds may be commingled only for the purpose of investment with other public funds, but they shall be invested only in investment instruments permitted in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund.

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

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

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

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

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

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

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

be deposited with a trustee or depository and released from the deposit from time to time on such terms and conditions as are necessary to secure the payment of the secured obligation or charge.

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

18.561 (title) **Enterprise obligations.**

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

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

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

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

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

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

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

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

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

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

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

(5) AUTHORIZING RESOLUTION. The commission may provide in the authorizing resolution for special fund obligations or by subsequent action all things necessary to carry into effect this section. Any authorizing resolution shall constitute a contract with the owners of any special fund obligations issued pursuant to the resolution. An authorizing resolution may contain such provisions or covenants, without limiting the generality of the power to adopt the resolution, as are deemed necessary or desirable for the security of owners of special fund obligations or the marketability of the special fund obligations.

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

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

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

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

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

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

(a) If the fund created under sub. (1) is in an account maintained by a trustee appointed by an authorizing reso-

lution, the moneys shall be paid over to the treasury ~~and the~~.

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

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

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

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

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

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

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

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

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

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

18.60 **(3)** The principal proceeds from the sale of any refunding ~~bonds~~ obligations shall be applied either to the immediate payment and retirement of the ~~bonds~~ obligations or notes being refinanced or, if the ~~bonds~~ obligations or notes have not matured and are not presently redeemable, to the creation of a trust for and shall be pledged to the payment of the ~~bonds~~ obligations or notes being refinanced. If a trust is created, a separate deposit shall be made for each issue of ~~bonds~~ obligations or notes being refinanced. Each deposit shall be with the state treasurer or a bank or trust company that is then a member of the federal deposit insurance corporation. If the total amount of any deposit, including money other than sale proceeds but legally available for such purpose, is less than the principal amount of the ~~bonds~~ obligations or notes being refinanced and for the payment of which the deposit has been created and pledged, together with applicable redemption premiums and interest accrued and to accrue to maturity or to the date of redemption, then the application of the sale proceeds shall be legally sufficient only if the money deposited is invested in securities issued by the United States or one of its agencies, or securities fully guaranteed by the United States, and

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

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

18.60 **(4)** The commission may in addition to the other powers conferred by this subchapter, include a provision in any authorizing resolution for refunding ~~bonds~~ obligations pledging all or any part of the special fund or income of any enterprise or program originally financed from the proceeds of any of the ~~bonds~~ obligations or notes being refinanced, or pledging all or any part of the surplus income derived from the investment of any trust created under sub. (3), or both.

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

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

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

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

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

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

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

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

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

18.61 **(3)** (a) If the state fails to pay any revenue obligation in accordance with its terms, and default continues for a period of 30 days or if the state fails or refuses to comply with this subchapter or defaults in any agreement made with the ~~holders~~ owners of any issue of revenue obligations, the ~~holders~~ owners of 25% in aggregate principal amount of the revenue obligations of the issue then outstanding by instrument recorded in the office of the register of deeds of Dane county and approved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the ~~holders~~ owners of the ~~notes or bonds~~ revenue obligations for the purposes specifically provided in the instrument.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 161d. 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 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%.

Vetoed In Part

(b) For fiscal year 2000–01, 1%.

(c) For fiscal year 2001–02, 1.2%.

Vetoed In Part

(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	$ 714,970,000	$ 1,005,583,400
Revenues and Transfers		
Estimated Taxes	$ 10,407,005,100	$ 10,182,971,100
Transfers from the Computer Escrow Fund	64,000,000	–0–
Estimated Departmental Revenues		
Tobacco Settlement	185,031,900	148,984,800
Other	254,180,800	183,447,300
Total Available	$ 11,625,187,800	$ 11,520,986,600
Appropriations, Transfers and Reserves		
Gross Appropriations	$ 10,616,351,800	$ 11,160,657,000
Compensation Reserves	56,100,000	117,750,000
1999 Act 4	500,000	–0–
Transfers to:		
Conservation Fund	–0–	500,000
Tobacco Control Fund	2,492,000	23,500,000
Lottery Fund	37,207,000	216,689,300
Less estimated lapses	–93,046,400	–115,926,800
Total Expenditures	$ 10,619,604,400	$ 11,403,169,500
Balances		
Gross Balance	$ 1,005,583,400	$ 117,817,100
Less Required Statutory Balance	–106,724,500	–112,784,100
Net Balance, June 30	$ 898,858,900	$ 5,033,000

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	1999–00	2000–01
General Purpose Revenue	$ 10,616,351,800	$ 11,160,657,000
Federal Revenue	5,085,403,000	4,690,281,100
Program Revenue	(4,452,979,100)	(4,108,258,100)
Segregated Revenue	(632,423,900)	(582,023,000)
Program Revenue	2,650,181,600	2,722,470,700
State	(1,908,108,400)	(1,967,626,400)
Service	(742,073,200)	(754,844,300)
Segregated Revenue	2,328,268,500	2,547,710,600
State	(2,105,196,400)	(2,330,287,000)
Local	(71,673,000)	(65,570,000)
Service	(151,399,100)	(151,853,600)
GRAND TOTAL	$ 20,680,204,900	$ 21,121,119,400

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

	1999–00	2000–01
General Purpose Revenue	$ 56,100,000	$ 117,750,000
Federal Revenue	15,948,200	33,474,100
Program Revenue	43,016,300	90,288,200
Segregated Revenue	10,019,100	21,029,600
TOTAL	$ 125,083,600	$ 262,541,900

LOTTERY FUND SUMMARY

	1999–2000	2000–01
Gross Revenue	$ 419,223,600	$ 427,363,200
Expenses		
Prizes	$ 239,736,200	$ 244,368,500
Administrative Expenses	–0–	–0–
	$ 239,736,200	$ 244,368,500
Net Proceeds	$ 179,487,400	$ 182,994,700

	1999–2000	2000–01
Total Available for Property Tax Relief		
Opening Balance	$ 15,340,500	$ 8,384,500
Net Proceeds	179,487,400	182,994,700
Interest Earnings	2,465,000	2,240,000
Transfer from General Fund	37,207,000	216,689,300
1998–99 Racing Revenue Balance	981,700	–0–
	$ 235,481,600	$ 410,308,500
Property Tax Relief	$ 227,097,100	$ 401,761,200
Gross Closing Balance	$ 8,384,500	$ 8,547,300
Reserve	$ (8,384,500)	$ (8,547,300)
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	
Agriculture, Trade and Consumer Protection	
Soil and water	3,575,000
Conservation reserve enhancement program	40,000,000
Building Commission	
Other public purposes	137,303,500
Housing state agencies	68,419,000
Project contingencies	7,955,200
Capital equipment acquisitions	21,058,300
Refunding building corporation debt	–1,070,000
Milwaukee Police Athletic League	1,000,000
Swiss Cultural Center	1,000,000

Source and Purpose	Amount
Clean Water Fund	
Safe drinking water loan program	14,080,000
Urban storm water loan program	4,100,000
Corrections	
Correctional facilities	102,998,800
Juvenile correctional facilities	1,285,000
Educational Communications Board	
Educational communications facilities	304,000
Health and Family Services	
Mental health and secure treatment facilities	6,993,200
Historical Society	
Heritage trust	20,000,000
Marquette University	
Dental clinic and educational facility	15,000,000
Military Affairs	
Armories and military facilities	827,100
Natural Resources	
GPR supported administrative facilities	2,586,600
SEG supported facilities	4,630,000
SEG supported administrative facilities	2,905,900
Recreational boating	112,000
Nonpoint source grants	22,400,000
Urban nonpoint source cost sharing	15,000,000
Municipal flood control and riparian restoration	13,000,000
Transportation	
Harbor improvements	7,000,000
Rail acquisition	4,500,000
State Fair Park	
Board facilities	1,887,100
Self–amortizing facilities	16,937,100
Stewardship 2000	460,000,000

Source and Purpose		Amount
University of Wisconsin		
Academic facilities		65,699,600
Self–amortizing facilities		75,692,800
Veterans Affairs		
Mortgage loans self amortizing		213,000,000
Self–amortizing mortgage loans		13,909,100
TOTAL General Obligation Bonds	$	1,364,089,300

REVENUE OBLIGATIONS

Commerce		
PECFA	$	270,000,000
Clean water fund		
Safe drinking water loan program		27,700,000
Transportation		
Major highway projects		191,585,600
TOTAL Revenue Obligation Bonds	$	489,285,600
GRAND TOTAL Bonding Authority Modifications	$	1,853,374,900

Figure: 20.005 (2) (b)

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

Statute, Agency and Purpose	Source	1999–00	2000–01
20.115 Agriculture, trade and consumer protection, department of			
(2) (d) Principal repayment and interest	GPR	$ –0–	$ –0–
(7) (f) Principal repayment and interest	GPR	48,500	180,600
20.190 State fair park board			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	867,000	864,000
(1) (d) Principal repayment and interest	GPR	17,600	128,700
20.225 Educational communications board			
(1) (c) Principal repayment and interest	GPR	1,059,400	837,500
20.245 Historical society			
(1) (e) Principal repayment, interest and rebates	GPR	5,400	33,800

STATUTE, AGENCY AND PURPOSE	SOURCE	1999–00	2000–01
(2) (e) Principal repayment and interest	GPR	927,100	786,500
(3) (e) Principal repayment and interest	GPR	–0–	50,000
(4) (e) Principal repayment and interest	GPR	–0–	–0–
(5) (e) Principal repayment and interest	GPR	503,900	498,100
20.250 Medical College of Wisconsin			
(1) (e) Principal repayment and interest	GPR	185,300	158,700
20.255 Public instruction, department of			
(1) (d) Principal repayment and interest	GPR	1,255,700	1,130,000
20.275 Technology for educational achievement in Wisconsin board			
(1) (er) Principal, interest and rebates; public library boards	GPR	101,600	633,100
(1) (es) Principal, interest and rebates; school boards	GPR	2,070,600	4,709,400
20.285 University of Wisconsin System			
(1) (d) Principal repayment and interest	GPR	88,471,100	80,293,000
(1) (db) Self–amortizing facilities principal and interest	GPR	–0–	–0–
(1) (fh) State laboratory of hygiene; principal repayment and interest	GPR	–0–	–0–
20.320 Environmental improvement program			
(1) (c) Principal repayment and interest – clean water fund program	GPR	27,137,500	31,081,100
(2) (c) Principal repayment and interest – safe drinking water loan program	GPR	974,600	1,348,200
20.370 Natural resources, department of			
(7) (aa) Resource acquisition and development – principal repayment and interest	GPR	19,297,900	21,489,000
(7) (ac) Principal repayment and interest – recreational boating bonds	GPR	–0–	–0–
(7) (ba) Debt service – remedial action	GPR	1,623,600	2,452,500
(7) (ca) Principal repayment and interest – nonpoint source grants	GPR	2,340,200	2,643,200
(7) (cb) Principal repayment and interest – pollution abatement bonds	GPR	71,590,000	69,540,700
(7) (cc) Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	17,271,500	16,998,300
(7) (cd) Principal repayment and interest – municipal clean drinking water grants	GPR	848,100	846,900
(7) (ce) Principal repayment and interest – nonpoint source compliance	GPR	54,200	168,900
(7) (cf) Urban nonpoint source cost sharing	GPR	–0–	–0–
(7) (cg) Municipal flood control and riparian restoration	GPR	–0–	–0–
(7) (ea) Administrative facilities – principal repayment and interest	GPR	520,400	568,700

STATUTE, AGENCY AND PURPOSE	SOURCE	1999–00	2000–01
20.410 Corrections, department of			
(1) (e) Principal repayment and interest	GPR	49,422,800	49,709,200
(1) (ec) Prison industries principal; interest and rebates	GPR	–0–	–0–
(3) (e) Principal repayment and interest	GPR	4,361,400	4,131,600
20.435 Health and family services, department of			
(2) (ee) Principal repayment and interest	GPR	10,373,700	10,925,900
(2) (ef) Lease rental payments	GPR	–0–	–0–
(6) (e) Principal repayment and interest	GPR	32,500	31,400
20.465 Military affairs, department of			
(1) (d) Principal repayment and interest	GPR	3,092,900	2,977,100
20.485 Veterans affairs, department of			
(1) (e) Lease rental payments	GPR	–0–	–0–
(1) (f) Principal repayment and interest	GPR	1,551,000	1,526,000
(4) (f) Repayment of principal and interest	GPR	–0–	–0–
20.505 Administration, department of			
(5) (c) Principal repayment and interest; Black Point Estate	GPR	21,700	135,100
(5) (d) Principal repayment and interest; educational communication board	GPR	–0–	–0–
20.867 Building commission			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	–0–	–0–
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	2,689,600	7,159,000
(3) (a) Principal repayment and interest	GPR	–0–	20,013,700
(3) (b) Principal repayment and interest	GPR	49,900	–0–
(3) (e) Principal repayment, interest and rebates; parking ramp	GPR	–0–	–0–
TOTAL General Purpose Revenue Debt Service		$ 308,766,700	$ 334,049,900
20.190 State fair park board			
(1) (j) State fair principal repayment, interest and rebates	PR	$ 1,554,800	$ 1,701,700
20.245 Historical society			
(2) (j) Self–amortizing facilities; principal repayment, interest and rebates	PR	155,400	243,600
20.275 Technology for educational achievement in Wisconsin board			
(1) (h) Principal, interest and rebates; school boards	PR	2,942,300	4,711,600
(1) (hb) Principal, interest and rebates; public library boards	PR	278,800	633,100
20.285 University of Wisconsin System			
(1) (ih) State laboratory of hygiene; principal repayment and interest	PR	–0–	–0–
(1) (kd) Principal repayment, interest and rebates	PR	25,858,600	30,629,000

STATUTE, AGENCY AND PURPOSE	SOURCE	1999–00	2000–01
(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
20.855 Miscellaneous			
(8) (a) Marquette University; dental clinic and educational facility	PR	–0–	–0–
20.867 Building commission			
(3) (bm) Principal repayment and interest	PR	–0–	–0–
(3) (g) Principal repayment, interest and rebates; program revenues	PR	–0–	–0–
(3) (h) Principal repayment, interest and rebates	PR	–0–	–0–
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	–0–	–0–
TOTAL Program Revenue Debt Service		$ 41,648,900	$ 48,455,300
20.320 Environmental improvement program			
(1) (t) Principal repayment and interest – clean water fund program bonds	SEG	$ 4,000,000	$ 4,000,000
(1) (u) Principal repayment and interest – cleanwater fund program revenue obligation repayment	SEG	–0–	–0–
20.370 Natural resources, department of			
(7) (aq) Resource acquisition and development – principal repayment and interest	SEG	238,700	247,900
(7) (ar) Dam repair and removal – principal repayment and interest	SEG	245,600	457,900
(7) (at) Recreation development – principal repayment and interest	SEG	–0–	–0–
(7) (au) State forest acquisition and development	SEG	2,000,000	2,000,000
(7) (eq) Administrative facilities – principal repayment and interest	SEG	1,280,100	1,500,200
(7) (er) Administrative facilities – principal repayment and interest; environmental fund	SEG	11,100	11,500
20.395 Transportation, department of			
(6) (aq) Principal repayment and interest, transportation facilities, state funds	SEG	6,110,100	6,015,900
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	510,100	327,600

STATUTE, AGENCY AND PURPOSE	SOURCE	1999–00	2000–01
20.485 Veterans affairs, department of			
(3) (t) Debt service	SEG	71,080,000	76,633,900
(3) (v) Revenue obligation repayment	SEG	–0–	–0–
(4) (qm) Repayment of principal and interest	SEG	10,800	10,700
TOTAL Segregated Revenue Debt Service		$ 85,486,500	$ 91,205,600
GRAND TOTAL All Debt Service		$ 435,902,100	$ 473,710,800

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

20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual, biennial and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
Commerce					
20.115 Agriculture, trade and consumer protection, department of					
(1)	FOOD SAFETY AND CONSUMER PROTECTION				
(a)	General program operations	GPR	A	–0–	–0–
	Food inspection	GPR	A	3,287,400	3,287,400
	Meat and poultry inspection	GPR	A	2,811,000	2,811,000
	Trade and consumer protection	GPR	A	2,738,900	2,738,900
	NET APPROPRIATION			8,837,300	8,837,300
(c)	Automobile repair regulation	GPR	A	381,800	381,800
(g)	Related services	PR	A	25,500	25,500
(gb)	Food regulation	PR	A	3,720,100	3,720,100
(gf)	Fruit and vegetable inspection	PR	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
(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	843,700	843,700
(jb)	Consumer information and education	PR	A	75,000	75,000
(jm)	Warehouse keeper and grain dealer regulation	PR	C	323,900	323,900
(m)	Federal funds	PR–F	C	2,942,200	2,942,200
(r)	Unfair sales act	SEG	A	124,400	124,400
(s)	Weights and measures; petroleum inspection fund	SEG	A	367,000	367,000
(u)	Recyclable and nonrecyclable products regulation	SEG	A	–0–	–0–
	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				9,219,100	9,219,100
PROGRAM REVENUE				13,205,800	13,205,800
FEDERAL				(2,942,200)	(2,942,200)
OTHER				(10,263,600)	(10,263,600)
SEGREGATED FUNDS				491,400	491,400

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
OTHER				(491,400)	(491,400)
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
(c)	Financial assistance for paratuberculosis testing	GPR	A	100,000	100,000
(d)	Principal repayment and interest	GPR	S	–0–	–0–
(g)	Related services	PR	A	2,202,500	2,202,500
(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				3,684,100	3,684,100
PROGRAM REVENUE				2,730,300	2,730,300
FEDERAL				(125,800)	(125,800)
OTHER				(2,604,500)	(2,604,500)
SERVICE				(–0–)	(–0–)
TOTAL–ALL SOURCES				6,414,400	6,414,400
(3)	MARKETING SERVICES				
(a)	General program operations	GPR	A	1,909,800	1,909,800
(c)	Export promotion program	GPR	A	300,000	300,000
(g)	Related services	PR	A	–0–	–0–
(ga)	Gifts and grants	PR	C	25,000	25,000
(h)	Grain inspection and certification	PR	C	–0–	–0–
(i)	Marketing orders and agreements	PR	C	80,200	80,200
(j)	Stray voltage program	PR	A	273,400	273,400
(ja)	Marketing services and materials	PR	C	302,000	302,000
(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	A	585,000	585,000
(c)	Agricultural investment aids	GPR	B	400,000	400,000
(cd)	Federal dairy policy reform	GPR	B	50,000	50,000
(d)	Farmers tuition assistance grants	GPR	B	5,000	5,000
(e)	Aids to world dairy expo, inc.	GPR	A	25,000	25,000
(f)	Exposition center grants	GPR	A	240,000	240,000
(i)	Agricultural investment aids; gifts and grants	PR	C	–0–	–0–
	(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				1,345,000	1,345,000
PROGRAM REVENUE				–0–	–0–

Vetoed In Part

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
OTHER				(–0–)	(–0–)	
TOTAL–ALL SOURCES				1,345,000	1,345,000	
(7)	Agricultural resource management					
(a)	General program operations	GPR	A	1,755,200	1,776,800	
(b)	Principle repayment and interest, conservation enhancement reserve	GPR	S	–0–	–0–	
(c)	Soil and water resource management program	GPR	C	2,390,300	5,875,700	
(d)	Drainage board grants	GPR	A	–0–	500,000	
(dr)	Town of Troy grant, purchase of development rights	GPR	B	500,000	–0–	**Vetoed In Part**
(f)	Principal repayment and interest, soil and water	GPR	S	48,500	180,600	
(g)	Agricultural impact statements	PR	C	172,500	172,500	
(ga)	Related services	PR	C	108,800	108,800	
(gb)	Agricultural resource management; gifts and grants	PR	C	–0–	–0–	
(gm)	Seed testing and labeling	PR	C	70,300	70,300	
(h)	Fertilizer research assessments	PR	C	160,500	160,500	
(ha)	Liming material research funds	PR	C	25,000	25,000	
(ja)	Plant protection	PR	C	114,600	127,600	
(k)	Agricultural resource management services	PR–S	C	231,100	231,100	
(m)	Federal funds	PR–F	C	2,130,700	2,130,700	
(q)	Gypsy moth eradication; conservation fund	SEG	A	940,000	943,800	
(qb)	Gypsy moth eradication; segregated revenues	SEG	C	216,700	220,600	
(qc)	Plant protection; conservation fund	SEG	A	75,000	81,000	
(qd)	Soil and water management; environmental fund	SEG	A	2,283,700	4,825,000	
(r)	General program operations; agrichemical management	SEG	A	1,142,000	1,142,000	
(s)	Groundwater — standards; implementation	SEG	A	778,900	778,900	
(t)	Fertilizer, additives and commercial feed regulation	SEG	A	741,900	741,900	
(u)	Pesticide regulation and admin. of agricultural chemical cleanup program	SEG	A	2,207,100	2,207,100	
(uc)	Pesticide sales and use reporting system administration	SEG	C	–0–	–0–	**Vetoed In Part**
(ue)	Pesticide sales and use reporting system development	SEG	C	–0–	–0–	
(v)	Chemical and container disposal	SEG	A	560,400	560,400	
(wm)	Agricultural chemical cleanup reimbursement	SEG	C	2,917,300	3,738,600	
	(7) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				4,694,000	8,333,100	
PROGRAM REVENUE				3,013,500	3,026,500	
FEDERAL				(2,130,700)	(2,130,700)	
OTHER				(651,700)	(664,700)	
SERVICE				(231,100)	(231,100)	
SEGREGATED FUNDS				11,863,000	15,239,300	
OTHER				(11,863,000)	(15,239,300)	
TOTAL–ALL SOURCES				19,570,500	26,598,900	
(8)	Central administrative services					
(a)	General program operations	GPR	A	4,162,600	4,162,600	
(g)	Gifts and grants	PR	C	–0–	–0–	
(ga)	Milk standards program	PR	C	388,100	388,100	
(gm)	Enforcement cost recovery	PR	A	25,000	25,000	
(h)	Sale of material and supplies	PR	C	50,600	50,600	
(ha)	General laboratory related services	PR	C	40,000	40,000	
(hm)	Restitution	PR	C	–0–	–0–	
(i)	Related services	PR	A	201,200	201,200	
(j)	Electronic processing	PR	C	–0–	–0–	
(k)	Computer system equipment, staff and services	PR–S	A	2,004,400	1,504,400	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(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 sevices; other agencies	PR–S	C	40,100	40,100
(ks)	State contractual services	PR–S	C	–0–	–0–
(m)	Federal funds	PR–F	C	40,000	40,000
(pz)	Indirect cost reimbursements	PR–F	C	458,200	458,200
	(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				4,162,600	4,162,600
PROGRAM REVENUE				6,297,200	5,797,200
FEDERAL				(498,200)	(498,200)
OTHER				(704,900)	(704,900)
SERVICE				(5,094,100)	(4,594,100)
TOTAL–ALL SOURCES				10,459,800	9,959,800
	20.115 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES				25,314,600	28,953,700
PROGRAM REVENUE				26,175,500	25,688,500
FEDERAL				(5,896,300)	(5,896,300)
OTHER				(14,954,000)	(14,967,000)
SERVICE				(5,325,200)	(4,825,200)
SEGREGATED FUNDS				12,354,400	15,730,700
OTHER				(12,354,400)	(15,730,700)
TOTAL–ALL SOURCES				63,844,500	70,372,900
20.143	**Commerce, department of**				
(1)	ECONOMIC AND COMMUNITY DEVELOPMENT				
(a)	General program operations	GPR	A	5,433,500	5,433,500
(b)	Economic development promotion, plans and studies	GPR	A	120,000	120,000
(bm)	Aid to Forward Wisconsin, inc.	GPR	A	500,000	500,000
(br)	Brownfields grant program; general purpose revenue	GPR	A	–0–	–0–
(c)	Wisconsin development fund; grants, loans and assistance	GPR	B	7,503,800	7,503,800
(cb)	WI Dev. Fund; tech. & pollut. control & abatement grant & loans, assistance	GPR	B	–0–	–0–
(cf)	Community–based nonprofit organization grant for educational project	GPR	A	–0–	–0–
(dr)	Main street program	GPR	A	460,700	461,400
(e)	Technology–based economic development	GPR	A	198,300	198,300
(em)	Hazardous pollution prevention; contract	GPR	A	–0–	–0–
(en)	Business development initiative	GPR	A	150,000	150,000
(er)	Rural economic development program	GPR	B	656,500	656,500
(ew)	International trade, business and economic development grants	GPR	B	–0–	–0–
(fg)	Community–based economic development programs	GPR	A	762,100	762,100
(fm)	Minority business projects; grants and loans	GPR	B	329,200	329,200
(fy)	Women's business incubator grant	GPR	B	–0–	–0–
(g)	Gifts, grants and proceeds	PR	C	607,000	607,000
(gc)	Business development assistance center	PR	C	–0–	–0–
(gm)	Wisconsin development fund, administration of grants and loans	PR	C	108,100	108,100
(h)	Economic development operations	PR	A	–0–	–0–
(hm)	Certified capital companies	PR	C	–0–	–0–
(id)	Gaming economic diversification grants and loans; repayments	PR	A	–0–	–0–
(ie)	Wisconsin development fund, repayments	PR	C	2,500,000	2,500,000
(if)	Mining economic development grants and loans; repayments	PR	C	–0–	–0–
(ig)	Gaming economic development grants and loans; repayments	PR	A	–0–	–0–
(im)	Minority business projects; repayments	PR	C	267,200	267,200

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(in)	Business development initiative loan repayments	PR	C	60,000	60,000
(ir)	Rural economic development loan repayments	PR	C	120,100	120,100
(jc)	Physician and health care provider loan assistance prog. repay.; penalties	PR	C	–0–	–0–
(jL)	Health care provider loan assistance program; local contributions	PR	C	–0–	–0–
(jm)	Physician loan assistance program; local contributions	PR	C	–0–	–0–
(k)	Sale of materials or services	PR–S	C	260,200	260,200
(ka)	Sale of materials and services — local assistance	PR–S	C	–0–	–0–
(kb)	Sale of materials and services — individuals and organizations	PR–S	C	–0–	–0–
(kc)	Clean air act compliance assistance	PR–S	A	169,400	169,400
(kf)	American Indian economic development; technical assistance	PR–S	A	25,000	25,000
(kg)	American Indian economic development; liaison	PR–S	A	59,700	59,700
(kh)	American Indian economic development; liaison–grants	PR–S	A	25,000	25,000
(kj)	Gaming economic development grants and loans	PR–S	A	3,894,300	2,514,600
(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	2,300,000	2,300,000
(m)	Federal aid, state operations	PR–F	C	1,293,800	1,293,800
(n)	Federal aid, local assistance	PR–F	C	34,400,000	34,400,000
(o)	Federal aid, individuals and organizations	PR–F	C	–0–	–0–
(qa)	Brownfields redevelopment activities; administration	SEG	A	269,000	269,000
(qm)	Brownfields grant program; environmental fund	SEG	A	5,800,000	6,400,000
(r)	Mining economic development grants and loans	SEG	C	–0–	–0–
(st)	Recycling market development board; operations	SEG	A	141,800	141,800
(t)	Forestry education grant program	SEG	C	100,000	100,000
(tm)	Recycling market development board; contracts and assistance	SEG	B	–0–	1,000,000
(x)	Industrial building construction loan fund	SEG	C	–0–	–0–
	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				16,114,100	16,114,800
PROGRAM REVENUE				46,478,500	47,598,800
	FEDERAL			(35,693,800)	(35,693,800)
	OTHER			(5,962,400)	(5,962,400)
	SERVICE			(4,822,300)	(5,942,600)
SEGREGATED FUNDS				6,310,800	7,910,800
	OTHER			(6,310,800)	(7,910,800)
TOTAL–ALL SOURCES				68,903,400	71,624,400
(3)	Regulation of industry, safety and buildings				
(a)	General program operations	GPR	A	–0–	–0–
(de)	Private sewage system replacement and rehabilitation	GPR	C	3,500,000	3,500,000
(dm)	Storage tank inventory	GPR	A	–0–	–0–
(g)	Gifts and grants	PR	C	18,000	18,000
(ga)	Auxiliary services	PR	C	25,000	25,000
(gb)	Local agreements	PR	C	–0–	–0–
(h)	Local energy resource system fees	PR	A	–0–	–0–

Vetoed In Part

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(j)	Safety and buildings operations	PR	A	16,043,800	16,273,100
(ka)	Interagency agreements	PR–S	C	101,200	101,200
(ks)	Data processing	PR–S	C	–0–	–0–
(L)	Fire dues distribution	PR	C	7,000,000	7,000,000
(La)	Fire prevention and fire dues administration	PR	A	623,600	623,600
(Lm)	Petroleum storage remedial action fees	PR	A	–0–	112,200
(m)	Federal funds	PR–F	C	621,800	621,800
(ma)	Federal aid program administration	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	–0–	–0–
(q)	Groundwater standards; implementation	SEG	A	–0–	–0–
(r)	Safety and buildings operations; petroleum inspection fund	SEG	A	6,801,600	6,831,400
(sa)	Administration of mobile homes	SEG	A	–0–	76,400
(t)	Petroleum inspection fund – revenue obligation repayment	SEG	S	–0–	–0–
(v)	Petroleum storage environmental remedial action; awards	SEG	B	94,131,700	94,131,700
(w)	Petroleum storage environmental remedial action; administration	SEG	A	2,707,200	2,646,000
	(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				3,500,000	3,500,000
PROGRAM REVENUE				24,433,400	24,774,900
FEDERAL				(621,800)	(621,800)
OTHER				(23,710,400)	(24,051,900)
SERVICE				(101,200)	(101,200)
SEGREGATED FUNDS				103,640,500	103,685,500
OTHER				(103,640,500)	(103,685,500)
TOTAL–ALL SOURCES				131,573,900	131,960,400
(4)	EXECUTIVE AND ADMINISTRATIVE SERVICES				
(a)	General program operations	GPR	A	1,701,300	1,701,900
(g)	Gifts, grants and proceeds	PR	C	12,000	12,000
(k)	Sale of materials or services	PR–S	C	43,100	43,100
(ka)	Sale of materials and services — local assistance	PR–S	C	–0–	–0–
(kb)	Sale of materials and services — individuals and organizations	PR–S	C	–0–	–0–
(kd)	Administrative services	PR–S	A	3,352,300	3,368,400
(ke)	Transfer of unappropriated balances	PR–S	C	–0–	–0–
(m)	Federal aid, state operations	PR–F	C	–0–	–0–
(n)	Federal aid, local assistance	PR–F	C	–0–	–0–
(o)	Federal aid, individuals and organizations	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	153,200	106,300
	(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				1,701,300	1,701,900
PROGRAM REVENUE				3,560,600	3,529,800
FEDERAL				(153,200)	(106,300)
OTHER				(12,000)	(12,000)
SERVICE				(3,395,400)	(3,411,500)
TOTAL–ALL SOURCES				5,261,900	5,231,700
	20.143 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES				21,315,400	21,316,700
PROGRAM REVENUE				74,472,500	75,903,500
FEDERAL				(36,468,800)	(36,421,900)
OTHER				(29,684,800)	(30,026,300)
SERVICE				(8,318,900)	(9,455,300)
SEGREGATED FUNDS				109,951,300	111,596,300
OTHER				(109,951,300)	(111,596,300)
TOTAL–ALL SOURCES				205,739,200	208,816,500

20.144 Financial institutions, department of

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

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(a) Losses on public deposits	GPR	S	–0–	–0–
(g) General program operations	PR	A	11,804,600	11,696,900
(h) Gifts, grants, settlements and publications	PR	C	65,000	65,000
(i) Investor education fund	PR	A	100,000	100,000
(u) State deposit fund	SEG	S	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			11,969,600	11,861,900
OTHER			(11,969,600)	(11,861,900)
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			11,969,600	11,861,900
(2) OFFICE OF CREDIT UNIONS				
(g) General program operations	PR	A	1,729,200	1,772,300
(m) Credit union examinations, federal funds	PR–F	C	–0–	–0–
(2) PROGRAM TOTALS				
PROGRAM REVENUE			1,729,200	1,772,300
FEDERAL			(–0–)	(–0–)
OTHER			(1,729,200)	(1,772,300)
TOTAL–ALL SOURCES			1,729,200	1,772,300
20.144 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			13,698,800	13,634,200
FEDERAL			(–0–)	(–0–)
OTHER			(13,698,800)	(13,634,200)
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			13,698,800	13,634,200
20.145 Insurance, office of the commissioner of				
(1) SUPERVISION OF THE INSURANCE INDUSTRY				
(g) General program operations	PR	A	10,699,700	10,715,000
(gm) Gifts and grants	PR	C	–0–	–0–
(h) Holding company restructuring expenses	PR	C	–0–	–0–
(k) Administrative and support services	PR–S	A	3,481,200	3,390,900
(m) Federal funds	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
PROGRAM REVENUE			14,180,900	14,105,900
FEDERAL			(–0–)	(–0–)
OTHER			(10,699,700)	(10,715,000)
SERVICE			(3,481,200)	(3,390,900)
TOTAL–ALL SOURCES			14,180,900	14,105,900
(2) PATIENTS COMPENSATION FUND				
(q) Interest earned on future medical expenses	SEG	S	–0–	–0–
(u) Administration	SEG	A	979,400	696,700
(um) Peer review council	SEG	A	102,500	102,500
(v) Specified responsibilities, inv. board payments and future medical expenses	SEG	C	54,702,000	54,697,400
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			55,783,900	55,496,600
OTHER			(55,783,900)	(55,496,600)
TOTAL–ALL SOURCES			55,783,900	55,496,600
(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
(u) Administration	SEG	A	647,200	669,700
(v) Specified payments, fire dues and reinsurance	SEG	C	9,637,200	9,637,200
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			10,284,400	10,306,900
OTHER			(10,284,400)	(10,306,900)
TOTAL–ALL SOURCES			10,284,400	10,306,900
(4) STATE LIFE INSURANCE FUND				
(u) Administration	SEG	A	601,800	541,200

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
(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					
PROGRAM REVENUE			14,180,900	14,105,900	
FEDERAL			(–0–)	(–0–)	
OTHER			(10,699,700)	(10,715,000)	
SERVICE			(3,481,200)	(3,390,900)	
SEGREGATED FUNDS			69,650,100	69,324,700	
OTHER			(69,650,100)	(69,324,700)	
TOTAL–ALL SOURCES			83,831,000	83,430,600	
20.155 Public service commission					
(1) Regulation of public utilities					
(g) Utility regulation	PR	A	12,485,100	12,504,000	
(h) Holding company and nonutility affiliate regulation	PR	C	585,000	585,000	
(i) Mobile home park regulation 20.155(1)(i)	PR	A	59,100	59,100	
(j) Intervenor financing	PR	A	500,000	500,000	
(jm) Stray voltage research	PR	A	200,000 175,000	200,000 175,000	**Vetoed In Part**
(L) Stray voltage program	PR	A	200,000	200,000	
(Lb) Gifts for stray voltage program	PR	C	–0–	–0–	
(Lm) Consumer education and awareness	PR	C	185,000	–0–	
(m) Federal funds	PR–F	C	75,200	75,200	
(n) Indirect costs reimbursement	PR–F	C	19,000	19,000	
(q) Universal telecommunications service	SEG	A	8,000,000	–0–	
(1) PROGRAM TOTALS					
PROGRAM REVENUE			14,308,400	14,142,300	
FEDERAL			(94,200)	(94,200)	
OTHER			(14,214,200)	(14,048,100)	
SEGREGATED FUNDS			8,000,000	–0–	
OTHER			(8,000,000)	(–0–)	
TOTAL–ALL SOURCES			22,308,400	14,142,300	
(2) Office of the commissioner of railroads					
(g) Railroad regulation and general program operations	PR	A	483,300	483,300	
(m) Railroad regulation; federal funds	PR–F	C	–0–	–0–	
(2) PROGRAM TOTALS					
PROGRAM REVENUE			483,300	483,300	
FEDERAL			(–0–)	(–0–)	
OTHER			(483,300)	(483,300)	
TOTAL–ALL SOURCES			483,300	483,300	
20.155 DEPARTMENT TOTALS					
PROGRAM REVENUE			14,791,700	14,625,600	
FEDERAL			(94,200)	(94,200)	
OTHER			(14,697,500)	(14,531,400)	
SEGREGATED FUNDS			8,000,000	–0–	
OTHER			(8,000,000)	(–0–)	
TOTAL–ALL SOURCES			22,791,700	14,625,600	
20.165 Regulation and licensing, department of					
(1) Professional regulation					
(g) General program operations	PR	A	9,258,300	9,283,400	
(gm) Applicant investigation reimbursement	PR	C	180,100	180,100	
(h) Technical assistance; nonstate agencies and organizations	PR	C	–0–	–0–	
(i) Examinations; general program operations	PR	C	2,299,000	2,299,000	
(k) Technical assistance; state agencies	PR–S	C	–0–	–0–	
(m) Federal funds	PR–F	C	–0–	–0–	

Statute, Agency and Purpose	Source	Type	1999–00	2000–01
20.165 DEPARTMENT TOTALS				
PROGRAM REVENUE			11,737,400	11,762,500
FEDERAL			(–0–)	(–0–)
OTHER			(11,737,400)	(11,762,500)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			11,737,400	11,762,500
20.190 State fair park board				
(1) STATE FAIR PARK				
(c) Housing facilities principal repayment, interest and rebates	GPR	S	867,000	864,000
(d) Principal repayment and interest	GPR	S	17,600	128,700
(h) State fair operations	PR	A	12,472,800	12,645,100
(i) State fair capital expenses	PR	C	448,000	448,000
(j) State fair principal repayment, interest and rebates	PR	S	1,554,800	1,701,700
(jm) Gifts and grants	PR	C	–0–	–0–
(m) Federal funds	PR–F	C	–0–	–0–
20.190 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			884,600	992,700
PROGRAM REVENUE			14,475,600	14,794,800
FEDERAL			(–0–)	(–0–)
OTHER			(14,475,600)	(14,794,800)
TOTAL–ALL SOURCES			15,360,200	15,787,500
Commerce FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			47,514,600	51,263,100
PROGRAM REVENUE			169,532,400	170,515,000
FEDERAL			(42,459,300)	(42,412,400)
OTHER			(109,947,800)	(110,431,200)
SERVICE			(17,125,300)	(17,671,400)
SEGREGATED FUNDS			199,955,800	196,651,700
FEDERAL			(–0–)	(–0–)
OTHER			(199,955,800)	(196,651,700)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			417,002,800	418,429,800

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	1,390,500	1,240,500	
(c) Portraits of governors	GPR	A	–0–	–0–	
(d) Challenge grant program	GPR	A	819,800	819,800	
(e) High point fund	GPR	A	50,000	50,000	**Vetoed In Part**
(f) Wisconsin regranting program	GPR	A	150,000	150,000	
(fm) Portage county arts alliance	GPR	A	50,000	–0–	
(g) Gifts and grants; state operations	PR	C	20,000	20,000	
(h) Gifts and grants; aids to individuals and organizations	PR	C	–0–	–0–	
(k) Funds received from other state agencies	PR–S	C	–0–	–0–	
(ka) Percent–for–art administration	PR–S	A	–0–	–0–	
(km) State aid for the arts; Indian gaming receipts	PR–S	A	25,200	25,200	
(m) Federal grants; state operations	PR–F	C	350,100	350,100	
(o) Federal grants; aids to individuals and organizations	PR–F	C	275,000	275,000	
20.215 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			2,787,300	2,587,400	
PROGRAM REVENUE			670,300	670,300	
FEDERAL			(625,100)	(625,100)	
OTHER			(20,000)	(20,000)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01	
SERVICE			(25,200)	(25,200)	
TOTAL–ALL SOURCES			3,457,600	3,257,700	
20.225 Educational communications board					
(1) INSTRUCTIONAL TECHNOLOGY					
(a) General program operations	GPR	A	3,905,400	3,906,100	
(b) Energy costs	GPR	A	425,200	425,200	
(c) Principal repayment and interest	GPR	S	1,059,400	837,500	
(d) Milwaukee area technical college	GPR	A	330,000	330,000	
(eg) Transmitter construction	GPR	C	–0–	–0–	
(er) Transmitter operation	GPR	A	25,000	25,000	
(f) Programming	GPR	A	1,536,500	1,537,100	
(g) Gifts, grants, contracts and leases	PR	C	6,543,100	6,545,500	
(h) Instructional material	PR	A	310,300	310,300	
(k) Funds received from other state agencies	PR–S	C	–0–	–0–	
(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			7,281,500	7,060,900	
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			14,678,500	14,460,300	
20.235 Higher educational aids board					
(1) STUDENT SUPPORT ACTIVITIES					
(b) Tuition grants	GPR	B	20,466,000 19,662,200	21,424,200 21,038,600	**Vetoed In Part**
(cg) Nursing student loans	GPR	A	–0–	–0–	
(cr) Minority teacher loans	GPR	A	240,000	240,000	
(cu) Teacher education loan program	GPR	A	250,000	250,000	
(d) Dental education contract	GPR	A	1,167,000	1,167,000	
(e) Minnesota–Wisconsin student reciprocity agreement	GPR	S	–0–	–0–	
(fc) Independent student grants program	GPR	B	–0–	–0–	
(fd) Talent incentive grants	GPR	B	4,311,400 4,209,200	4,725,300 4,503,800	**Vetoed In Part**
(fe) Wisconsin higher education grants; University of Wisconsin system students	GPR	B	18,900,300	20,714,700 18,900,300	**Vetoed In Part**
(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) Academic excellence higher education scholarship program	GPR	S	2,900,000	2,900,000	
(g) Student loans	PR	A	–0–	–0–	
(gg) Nursing student loan repayments	PR	C	–0–	–0–	
(gm) Indian student assistance; contributions	PR	C	–0–	–0–	
(i) Gifts and grants	PR	C	–0–	–0–	
(k) Indian student assistance	PR–S	B	779,800	779,800	
(km) Wisconsin higher education grants; tribal college students	PR–S	B	400,000	400,000	
(no) Federal aid; aids to individuals and organizations	PR–F	C	532,700	532,700	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			61,506,200	65,440,000	
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			63,218,700	67,152,500	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(2) ADMINISTRATION				
(aa) General program operations	GPR	A	726,100	726,100
(bb) Student loan interest, loans sold or conveyed	GPR	S	–0–	–0–
(bc) Write–off of uncollectible student loans	GPR	A	–0–	–0–
(bd) Purchase of defective student loans	GPR	S	–0–	–0–
(ga) Student interest payments	PR	C	1,000	1,000
(gb) Student interest payments, loans sold or conveyed	PR	C	–0–	–0–
(ia) Student loans; collection and administration	PR	C	–0–	–0–
(ja) Write–off of defaulted student loans	PR	A	–0–	–0–
(n) Federal aid; state operations	PR–F	C	–0–	–0–
(qa) Student loan revenue obligation repayment	SEG	C	–0–	–0–
(qb) Wisconsin health education loan revenue obligation repayment	SEG	C	110,200	110,200
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			726,100	726,100
PROGRAM REVENUE			1,000	1,000
FEDERAL			(–0–)	(–0–)
OTHER			(1,000)	(1,000)
SEGREGATED FUNDS			110,200	110,200
OTHER			(110,200)	(110,200)
TOTAL–ALL SOURCES			837,300	837,300
20.235 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			62,232,300	66,166,100
PROGRAM REVENUE			1,713,500	1,713,500
FEDERAL			(532,700)	(532,700)
OTHER			(1,000)	(1,000)
SERVICE			(1,179,800)	(1,179,800)
SEGREGATED FUNDS			110,200	110,200
OTHER			(110,200)	(110,200)
TOTAL–ALL SOURCES			64,056,000	67,989,800
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
(c) Restoaration of the state capitol; CD–ROM	GPR	B	50,000	–0–
(e) Principal repayment, interest and rebates	GPR	S	5,400	33,800
(g) Admissions, sales and other receipts	PR	C	529,200	529,200
(h) Gifts and grants	PR	C	146,400	146,400
(k) Funds received from other state agencies	PR–S	C	25,000	25,000
(m) General program operations; federal funds	PR–F	C	126,900	126,900
(r) Endowment	SEG	C	116,100	116,100
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,198,200	4,176,600
PROGRAM REVENUE			827,500	827,500
FEDERAL			(126,900)	(126,900)
OTHER			(675,600)	(675,600)
SERVICE			(25,000)	(25,000)
SEGREGATED FUNDS			116,100	116,100
OTHER			(116,100)	(116,100)
TOTAL–ALL SOURCES			5,141,800	5,120,200
(2) HISTORIC SITES				
(a) General program operations	GPR	A	443,200	459,700
(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

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(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	927,100	786,500	
(g)	Admissions, sales and other receipts	PR	A	2,445,900	2,856,400	
(h)	Gifts and grants	PR	C	58,000	58,000	
(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				2,898,000	2,773,900	
PROGRAM REVENUE				2,893,700	3,392,400	
FEDERAL				(64,300)	(64,300)	
OTHER				(2,659,300)	(3,158,000)	
SERVICE				(170,100)	(170,100)	
SEGREGATED FUNDS				215,800	215,800	
OTHER				(215,800)	(215,800)	
TOTAL–ALL SOURCES				6,007,500	6,382,100	
(3)	Historic and burial sites preservation					
(a)	General program operations	GPR	A	1,195,700 1,170,700	1,220,700 1,170,700	**Vetoed In Part**
(b)	Plover heritage park	GPR	B	50,000	–0–	
(c)	Neenah clock tower project	GPR	B	50,000	–0–	
(d)	Historical markers; state–funded markers and plaques	GPR	A	10,000	10,000	
(dm)	Historic preservation	GPR	C	2,400	2,400	
(e)	Principal repayment, interest and rebates	GPR	S	–0–	50,000	**Vetoed In Part**
(g)	Admissions, sales and other receipts	PR	A	7,000	7,000	
(gm)	Excavation and analysis; cataloged burial sites	PR	C	–0–	–0–	
(h)	Gifts and grants	PR	C	16,000	16,000	
(k)	Funds received from other state agencies	PR–S	C	–0–	–0–	
(m)	General program operations; federal funds	PR–F	C	719,800	719,800	
(n)	Federal aids	PR–F	C	–0–	–0–	
(r)	Endowment	SEG	C	–0–	–0–	
	(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				1,308,100	1,283,100	
PROGRAM REVENUE				742,800	742,800	
FEDERAL				(719,800)	(719,800)	
OTHER				(23,000)	(23,000)	
SERVICE				(–0–)	(–0–)	
SEGREGATED FUNDS				–0–	–0–	
OTHER				(–0–)	(–0–)	
TOTAL–ALL SOURCES				2,050,900	2,025,900	
(4)	Executive and administrative services					
(a)	General program operations	GPR	A	1,873,700	1,873,700	
(c)	Energy costs	GPR	A	148,000	148,000	
(e)	Principal repayment and interest	GPR	S	–0–	–0–	
(g)	Admissions, sales and other receipts	PR	A	173,100	173,100	
(h)	Gifts and grants	PR	C	170,400	170,400	
(k)	General program operations – service funds	PR–S	C	359,800	359,800	
(m)	General program operations; federal funds	PR–F	C	3,000	3,000	
(pz)	Indirect cost reimbursements	PR–F	C	95,000	95,000	
(q)	Endowment principal	SEG	C	–0–	–0–	
(r)	Endowment	SEG	C	161,400	161,400	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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	503,900	498,100
(g) Admissions, sales and other receipts	PR	C	331,300	331,300
(h) Gifts and grants	PR	C	22,200	22,200
(k) Funds received from other state agencies	PR–S	C	1,110,400	1,110,400
(m) General program operations; federal funds	PR–F	C	15,300	15,300
(r) Endowment	SEG	C	19,600	19,600
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,637,900	1,632,100
PROGRAM REVENUE			1,479,200	1,479,200
FEDERAL			(15,300)	(15,300)
OTHER			(353,500)	(353,500)
SERVICE			(1,110,400)	(1,110,400)
SEGREGATED FUNDS			19,600	19,600
OTHER			(19,600)	(19,600)
TOTAL–ALL SOURCES			3,136,700	3,130,900
20.245 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			12,063,900	11,887,400
PROGRAM REVENUE			6,744,500	7,243,200
FEDERAL			(1,024,300)	(1,024,300)
OTHER			(4,054,900)	(4,553,600)
SERVICE			(1,665,300)	(1,665,300)
SEGREGATED FUNDS			512,900	512,900
OTHER			(512,900)	(512,900)
TOTAL–ALL SOURCES			19,321,300	19,643,500
20.250 Medical college of Wisconsin				
(1) TRAINING OF HEALTH PERSONNEL				
(a) General program operations	GPR	A	4,105,100	4,105,100
(b) Family medicine and practice	GPR	A	3,371,900	3,371,900
(e) Principal repayment and interest	GPR	S	185,300	158,700
(k) Tobacco–related illnesses	PR–S	A	–0–	500,000
20.250 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			7,662,300	7,635,700
PROGRAM REVENUE			–0–	500,000
SERVICE			(–0–)	(500,000)
TOTAL–ALL SOURCES			7,662,300	8,135,700
20.255 Public instruction, department of				
(1) EDUCATIONAL LEADERSHIP				
(a) General program operations	GPR	A	11,637,800 11,525,000	11,726,100 11,520,600
(b) Gen pgm ops; school for the deaf and ctr for the blind and vis impaired	GPR	A	9,389,500	9,389,500
(c) Energy costs; school for the deaf and center for the blind and vis impaired	GPR	A	348,000	348,000
(d) Principal repayment and interest	GPR	S	1,255,700	1,130,000
(dt) Educational assessment program	GPR	A	394,100	417,400

Vetoed In Part

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(dw)	Pupil assessment	GPR	A	3,352,400	4,412,400	
(g)	Student activity therapy	PR	A	6,500	6,500	
(gb)	School for the deaf and center for the blind and vis impaired; nonres fees	PR	C	84,000	86,000	
(gh)	School for the deaf and ctr for the blind and vis impaired; hospitalization	PR	C	–0–	–0–	
(gL)	Center for the blind and visually impaired; leasing of space	PR	C	–0–	–0–	
(gs)	School for the deaf and center for the blind and vis impaired; services	PR	C	–0–	–0–	
(gt)	School for the deaf and ctr for the blind and vis impaired; pupil transp	PR	A	906,300	906,300	
(hf)	Administrative leadership academy	PR	A	–0–	–0–	
(hg)	Personnel certific., teacher supply, info. and analysis and teacher improv.	PR	A	2,361,800	2,361,800	
(hm)	Services for drivers	PR	A	231,500	231,500	
(i)	Publications	PR	A	559,900	559,900	
(im)	Library products and services	PR	C	660,700	660,700	
(jg)	School lunch handling charges	PR	A	2,997,500	2,997,500	
(jm)	Professional services center charges	PR	A	140,000	155,000	
(jr)	Gifts, grants and trust funds	PR	C	395,000	395,000	
(js)	State–owned housing maintenance	PR	A	7,100	7,100	
(jz)	School district boundary appeal proceedings	PR	C	10,500	10,500	
(kd)	Alcohol and other drug abuse program	PR–S	A	868,400	911,900	
(ke)	Funds transferred from other state agencies; program operations	PR–S	C	1,290,800	1,292,700	
(km)	State agency library processing center	PR–S	A	63,500	63,500	
(ks)	Data processing	PR–S	C	1,715,900	1,716,000	
(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	
(q)	Agricultural education consultant	SEG	A	56,400	65,700	**Vetoed In Part**
	(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				26,377,500	27,423,400	
PROGRAM REVENUE				31,717,100	31,779,600	
	FEDERAL			(19,417,700)	(19,417,700)	
	OTHER			(8,360,800)	(8,377,800)	
	SERVICE			(3,938,600)	(3,984,100)	
SEGREGATED FUNDS				56,400	65,700	
	OTHER			(56,400)	(65,700)	
TOTAL–ALL SOURCES				58,151,000	59,268,700	
(2)	AIDS FOR LOCAL EDUCATIONAL PROGRAMMING					
(ac)	General equalization aids	GPR	S	3,767,893,500	3,932,871,500 3,931,871,500	**Vetoed In Part**
(ad)	Supplemental aid	GPR	A	125,000	125,000	
(b)	Aids for special education and school age parents programs	GPR	A	288,048,700	315,681,400	
(bc)	Aid for children–at–risk programs	GPR	A	3,500,000	3,500,000	
(bh)	Aid to county children with disabilities education boards	GPR	A	3,000,000	4,000,000	
(bi)	Additional aid for county handicapped children's education boards	GPR	A	–0–	–0–	
(br)	Aid for special education transportation	GPR	A	–0–	–0–	
(cc)	Bilingual–bicultural education aids	GPR	A	8,291,400	8,291,400	
(cf)	Alternative education grants	GPR	A	–0–	5,000,000	
(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	892,100	
(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	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(cs)	Aid for debt service	GPR	A	–0–	3,000,000	
(cu)	Achievement guarantee contracts	GPR	A	13,745,000	54,015,600	
(cv)	Achievement guarantee contracts; supplement	GPR	A	4,739,000	4,739,000	
(cw)	Aid for trans. to instit. of higher education; part–time open enrollment	GPR	A	20,000	20,000	
(cy)	Aid for transportation; full–time open enrollment	GPR	A	275,000	500,000	
(dm)	Grants for alcohol & other drug abuse prevention & intervention programs	GPR	A	4,520,000	4,520,000	
(do)	Grants for preschool to grade 5 programs	GPR	A	7,353,700	7,353,700	
(eh)	Head start supplement	GPR	A	3,712,500	3,712,500	
(em)	Driver education; local assistance	GPR	A	4,493,700	4,493,700	
(fg)	Aid for cooperative educational service agencies	GPR	A	300,000	300,000	
(fk)	Grant program for peer review and mentoring	GPR	A	500,000	500,000	
(fL)	Foreign language instruction grants	GPR	A	–0–	350,000	**Vetoed In Part**
(fm)	Charter schools	GPR	S	3,132,200	11,666,000	
(fu)	Milwaukee parental choice program	GPR	S	41,362,000	49,771,100	
(k)	Funds transferred from other state agencies; local aids	PR–S	C	8,113,700	8,113,700	
(kd)	Aid for alcohol and other drug abuse programs	PR–S	A	1,427,100	1,498,600	
(kh)	Head start supplement	PR–S	C	3,712,500	3,712,500	
(km)	Alternative school American Indian language and culture education aid	PR–S	A	198,000	203,000	
(kp)	Aid to Milwaukee public schools; federal block grant aids	PR–S	A	1,410,000	1,410,000	
(m)	Federal aids; local aid	PR–F	C	326,110,700	326,110,700	
(q)	General equalization aids; property tax relief fund	SEG	S	–0–	–0–	
(s)	School library aids	SEG	C	28,200,000	21,700,000	
	(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				4,185,914,200	4,446,500,800	
PROGRAM REVENUE				340,972,000	341,048,500	
FEDERAL				(326,110,700)	(326,110,700)	
SERVICE				(14,861,300)	(14,937,800)	
SEGREGATED FUNDS				28,200,000	21,700,000	
OTHER				(28,200,000)	(21,700,000)	
TOTAL–ALL SOURCES				4,555,086,200	4,809,249,300	
(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	13,749,800	14,749,800	
(ea)	Library service contracts	GPR	A	1,012,000	1,047,300	
(ec)	Wisconsin geography alliance	GPR	A	50,000	50,000	
(eg)	Milwaukee public museum	GPR	A	50,000	50,000	
(fa)	Very special arts	GPR	A	75,000	75,000	
(fg)	Special olympics	GPR	A	75,000	75,000	
(fz)	Minority group pupil scholarships	GPR	A	2,000,000 1,525,000	2,000,000 1,525,000	**Vetoed In Part**
(mm)	Federal funds; local assistance	PR–F	C	1,115,000	1,115,000	
(ms)	Federal funds; individuals and organizations	PR–F	C	38,746,400	38,292,900	
(q)	Periodical and reference information databases	SEG	A	836,000	1,700,000	
	(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				17,111,800	18,209,600	
PROGRAM REVENUE				39,861,400	39,407,900	
FEDERAL				(39,861,400)	(39,407,900)	
SEGREGATED FUNDS				836,000	1,700,000	

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
OTHER			(836,000)	(1,700,000)	
TOTAL–ALL SOURCES			57,809,200	59,317,500	
20.255 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			4,229,403,500	4,492,133,800	
PROGRAM REVENUE			412,550,500	412,236,000	
FEDERAL			(385,389,800)	(384,936,300)	
OTHER			(8,360,800)	(8,377,800)	
SERVICE			(18,799,900)	(18,921,900)	
SEGREGATED FUNDS			29,092,400	23,465,700	
OTHER			(29,092,400)	(23,465,700)	
TOTAL–ALL SOURCES			4,671,046,400	4,927,835,500	
20.275 Technology for educational achievement in Wisconsin board					
(1) EDUCATIONAL TECHNOLOGY					
(a) General program operations	GPR	A	676,100	676,100	
(d) Pioneering partners grants	GPR	A	–0–	–0–	
(er) Principal, interest & rebates; general purpose rev. – public library boards	GPR	S	101,600	633,100	
(es) Principal, interest and rebates; general purpose revenue – school districts	GPR	S	2,070,600	4,709,400	
(et) Educational technology training & technical assistance grants	GPR	A	5,000,000	4,000,000	**Vetoed In Part**
(f) Educational technology block grants	GPR	A	35,000,000	35,000,000	
(g) Gifts and grants	PR	C	–0–	–0–	
(gf) Payments from telecommunications carriers; school districts	PR–S	C	–0–	–0–	**Vetoed In Part**
(gg) Payments from telecommunications carriers; libraries	PR–S	C	–0–	–0–	
(gh) Payments from telecommunications carriers; private schools	PR–S	C	–0–	–0–	
(gm) Wisconsin advanced telecommunications foundation services	PR	C	141,000	150,100	
(h) Principal, interest and rebates; program revenue – school districts	PR	C	2,070,600	4,709,400	
(hb) Principal, interest & rebates; program revenue – public library boards	PR	C	101,600	633,100	
(L) Equipment purchases and leases	PR	C	–0–	–0–	
(m) Federal aid	PR–F	C	–0–	–0–	
(s) Telecommunications access; school districts	SEG	B	6,427,100	7,195,700	
(t) Telecommunications access; private and technical colleges and libraries	SEG	B	1,850,700	2,014,600	
(tm) Telecommunications access; private schools	SEG	B	665,900	1,003,100	
(tu) Telecommunications access; state schools	SEG	B	55,200	55,200	
20.275 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			42,848,300	45,018,600	
PROGRAM REVENUE			2,313,200	5,492,600	
FEDERAL			(–0–)	(–0–)	
OTHER			(2,313,200)	(5,492,600)	
SERVICE			(–0–)	(–0–)	
SEGREGATED FUNDS			8,998,900	10,268,600	
OTHER			(8,998,900)	(10,268,600)	
TOTAL–ALL SOURCES			54,160,400	60,779,800	
20.285 University of Wisconsin system					
(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE					
(a) General program operations	GPR	A	748,769,600 748,757,600	787,517,800 787,501,800	**Vetoed In Part**
(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	1,502,400	
(b) Area health education centers	GPR	A	1,504,300 1,154,300	1,504,300 1,154,300	**Vetoed In Part**

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(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	6,376,200	
(d)	Principal repayment and interest	GPR	S	88,471,100	80,293,000	
(da)	Lease rental payments	GPR	S	–0–	–0–	
(db)	Self–amortizing facilities principal and interest	GPR	S	–0–	–0–	
(ee)	Environmental educational grants	GPR	A	200,000	200,000	
(em)	Schools of business	GPR	A	1,425,500	1,425,300	
(eo)	Extension outreach	GPR	A	298,200	297,900	
(ep)	Extension local planning program	GPR	A	20,000	161,800 80,900	**Vetoed In Part**
(er)	Grants for study abroad	GPR	A	500,000	1,000,000	
(fc)	Department of family medicine and practice	GPR	A	6,995,500	6,995,500	
(fd)	State laboratory of hygiene; general program operations	GPR	A	7,264,600	6,924,600	
(fh)	State laboratory of hygiene; principal repayment and interest	GPR	S	–0–	–0–	
(fm)	Laboratories	GPR	A	4,187,500	4,185,100	
(fs)	Farm safety program grants	GPR	A	20,000	20,000	
(ft)	Wisconsin humanities council	GPR	A	125,000 75,000	125,000 75,000	**Vetoed In Part**
(fu)	Educational programming	GPR	A	–0–	–0–	
(fx)	Alcohol and other drug abuse prevention and intervention	GPR	A	50,700	50,700	
(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	375,735,200	387,945,600	
(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	945,800	763,000	
(ih)	State laboratory of hygiene; principal repayment and interest	PR	S	–0–	–0–	
(im)	Academic student fees	PR	C	438,925,000	448,550,100	
(ip)	Extension student fees	PR	C	7,853,000	7,853,000	
(iz)	General operations receipts	PR	C	77,317,300	77,868,300	
(j)	Gifts and donations	PR	C	260,138,200	276,147,100	
(ja)	Gifts; student loans	PR	C	3,398,600	3,398,600	
(jm)	Distinguished professorships	PR	C	440,700	440,700	
(jp)	License plate scholarship programs	PR	C	–0–	–0–	
(k)	Funds transferred from other state agencies	PR–S	C	–0–	–0–	
(ka)	Sale of real property	PR	C	–0–	–0–	
(kb)	Great Lakes studies	PR–S	A	32,000	32,000	
(kd)	Principal repayment, interest and rebates	PR–S	S	25,858,600	30,629,000	
(ke)	Lease rental payments	PR–S	S	–0–	–0–	
(kf)	Outdoors skills training	PR–S	A	33,000	44,000	
(km)	Aquaculture demonstration facility; principal repayment and interest	PR–S	A	–0–	–0–	
(kn)	Aquaculture demonstration facility; operational costs	PR–S	A	–0–	–0–	
(kp)	Student–related activities	PR–S	C	–0–	–0–	
(kr)	University of Wisconsin center for tobacco research and intervention	PR–S	C	1,000,000	1,000,000	
(kv)	Stray voltage research	PR–S	C	175,000	175,000	
(Lm)	Laboratories	PR	A	4,405,400	4,405,400	
(Ls)	Schools of business	PR	A	592,300	592,300	
(m)	Federal aid	PR–F	C	336,412,400	336,412,400	
(ma)	Federal aid; loans and grants	PR–F	C	188,996,600	188,996,600	
(n)	Federal indirect cost reimbursement	PR–F	C	74,846,800	74,846,800	
(q)	Telecommunications services	SEG	A	864,000	864,000	

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
(qd) Ginseng research	SEG	B	125,000	125,000	Vetoed In Part
(qm) Grants to forestry cooperatives	SEG	A	50,000	50,000	
(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	424,100 324,100	524,100 324,100	Vetoed In Part
(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			912,084,300	942,952,800	
PROGRAM REVENUE			1,824,063,300	1,867,254,500	
FEDERAL			(600,255,800)	(600,255,800)	
OTHER			(1,196,708,900)	(1,235,118,700)	
SERVICE			(27,098,600)	(31,880,000)	
SEGREGATED FUNDS			23,615,300	25,498,400	
OTHER			(23,615,300)	(25,498,400)	
TOTAL–ALL SOURCES			2,759,762,900	2,835,705,700	
(3) UNIVERSITY SYSTEM ADMINISTRATION					
(a) General program operations	GPR	A	9,267,400	9,266,400	
(iz) General operations receipts	PR	C	242,400	242,400	
(n) Federal indirect cost reimbursement	PR–F	C	1,723,900	1,723,900	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			9,267,400	9,266,400	
PROGRAM REVENUE			1,966,300	1,966,300	
FEDERAL			(1,723,900)	(1,723,900)	
OTHER			(242,400)	(242,400)	
TOTAL–ALL SOURCES			11,233,700	11,232,700	
(4) MINORITY AND DISADVANTAGED PROGRAMS					
(a) Minority and disadvantaged programs	GPR	A	7,778,700	9,248,800	
(b) Graduate student financial aid	GPR	A	4,309,400	4,568,000 4,309,400	Vetoed In Part
(dd) Lawton minority undergraduate grants program	GPR	A	2,638,000	2,891,200 2,638,000	Vetoed In Part
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			14,726,100	16,708,000	
TOTAL–ALL SOURCES			14,726,100	16,708,000	
(5) UNIVERSITY OF WISCONSIN–MADISON INTERCOLLEGIATE ATHLETICS					
(a) General program operations	GPR	A	633,900	633,900	
(h) Auxiliary enterprises	PR	A	31,533,200	32,355,700	
(i) Nonincome sports	PR	C	327,600	327,600	
(j) Gifts and grants	PR	C	5,914,800	5,914,800	
(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			633,900	633,900	
PROGRAM REVENUE			37,775,600	38,598,100	
OTHER			(37,775,600)	(38,598,100)	
TOTAL–ALL SOURCES			38,409,500	39,232,000	
(6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY					
(a) Services received from authority	GPR	A	3,845,600	3,845,600	
(g) Services provided to authority	PR	C	27,392,300	27,392,300	
(6) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			3,845,600	3,845,600	
PROGRAM REVENUE			27,392,300	27,392,300	
OTHER			(27,392,300)	(27,392,300)	
TOTAL–ALL SOURCES			31,237,900	31,237,900	
20.285 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			940,557,300	973,406,700	
PROGRAM REVENUE			1,891,197,500	1,935,211,200	
FEDERAL			(601,979,700)	(601,979,700)	
OTHER			(1,262,119,200)	(1,301,351,500)	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
	SERVICE			(27,098,600)	(31,880,000)
SEGREGATED FUNDS				23,615,300	25,498,400
	OTHER			(23,615,300)	(25,498,400)
TOTAL–ALL SOURCES				2,855,370,100	2,934,116,300
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	115,945,000	118,415,000
(dc)	Incentive grants	GPR	C	7,888,100	7,888,100
(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
(ec)	Milwaukee enterprise center	GPR	A	25,000	25,000
(eg)	Faculty development grants	GPR	A	832,000	832,000
(em)	Apprenticeship curriculum development	GPR	A	75,000	75,000
(ep)	Grants to students	GPR	A	–0–	6,600,000
(er)	Grants for additional course sections	GPR	A	–0–	2,200,000
(f)	Alcohol and other drug abuse prevention and intervention	GPR	A	525,000	525,000
(fc)	Driver education, local assistance	GPR	A	322,000	322,000
(fg)	Chauffeur training grants	GPR	C	200,000	200,000
(fm)	Supplemental aid	GPR	A	1,500,000	1,500,000
(fp)	Emergency medical technician – basic training; state operations	GPR	A	193,500	193,500
(g)	Text materials	PR	A	123,000	123,000
(gm)	Fire schools; state operations	PR	A	279,200	279,200
(gr)	Fire schools; local assistance	PR	A	500,000	500,000
(gt)	Telecommunications retraining	PR	C	300,000	300,000
(h)	Gifts and grants	PR	C	20,600	20,600
(i)	Conferences	PR	C	85,900	85,900
(j)	Personnel certification	PR	A	214,000	214,000
(k)	Gifts and grants	PR	C	30,200	30,200
(ka)	Interagency projects; local assistance	PR–S	A	3,414,700	3,414,700
(kb)	Interagency projects; state operations	PR–S	A	742,700	742,700
(L)	Services for district boards	PR	A	150,600	150,600
(m)	Federal aid, state operations	PR–F	C	2,885,500	2,886,900
(n)	Federal aid, local assistance	PR–F	C	26,374,300	26,374,300
(o)	Federal aid, aids to individuals and organizations	PR–F	C	400,000	400,000
(pz)	Indirect cost reimbursements	PR–F	C	166,000	166,000
(q)	Agricultural education consultant	SEG	A	41,600	47,600
	20.292 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES				133,802,300	145,072,400
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)
SEGREGATED FUNDS				41,600	47,600
	OTHER			(41,600)	(47,600)
TOTAL–ALL SOURCES				169,530,600	180,808,100

Vetoed In Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			5,438,638,700	5,750,969,000
PROGRAM REVENUE			2,358,273,200	2,406,154,300
FEDERAL			(1,019,849,200)	(1,019,397,100)
OTHER			(1,285,426,000)	(1,328,355,800)
SERVICE			(52,998,000)	(58,401,400)
SEGREGATED FUNDS			62,371,300	59,903,400
FEDERAL			(–0–)	(–0–)
OTHER			(62,371,300)	(59,903,400)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			7,859,283,200	8,217,026,700

Environmental Resources

20.315 Boundary area commission, Minnesota–Wisconsin

(1) BOUNDARY AREA COOPERATION				
(q) General program operations — conservation fund	SEG	A	183,000	188,000
20.315 DEPARTMENT TOTALS				
SEGREGATED FUNDS			183,000	188,000
OTHER			(183,000)	(188,000)
TOTAL–ALL SOURCES			183,000	188,000

20.320 Environmental improvement program

(1) CLEAN WATER FUND PROGRAM OPERATIONS				
(a) Environmental aids — clean water fund program	GPR	A	–0–	–0–
(c) Principal repayment and interest — clean water fund program	GPR	S	27,137,500	31,081,100
(r) Clean water fund program repayment of revenue obligations	SEG	S	–0–	–0–
(s) Clean water fund program financial assistance	SEG	S	–0–	–0–
(sm) Land recycling loan program financial assistance	SEG	S	–0–	–0–
(t) Principal repayment and interest — clean water fund program bonds	SEG	A	4,000,000	4,000,000
(u) Principal repay. & interest – clean water fd. prog. rev. obligation repay.	SEG	C	–0–	–0–
(x) Clean water fund program financial assistance; federal	SEG–F	C	–0–	–0–
(y) Clean water fund program federal financial hardship assistance	SEG–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			27,137,500	31,081,100
SEGREGATED FUNDS			4,000,000	4,000,000
FEDERAL			(–0–)	(–0–)
OTHER			(4,000,000)	(4,000,000)
TOTAL–ALL SOURCES			31,137,500	35,081,100
(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
(c) Principal repayment and interest — safe drinking water loan program	GPR	S	974,600	1,348,200
(q) Safe drinking water loan program revenue obligation funding	SEG–S	C	–0–	–0–
(r) Safe drinking water loan program repayment of revenue obligations	SEG	S	–0–	–0–
(s) Safe drinking water loan programs financial assistance	SEG	S	–0–	–0–
(u) Principal repaymt & int; safe drinking water loan pgm rev oblig repayment	SEG	C	–0–	–0–
(x) Safe drinking water loan programs financial assistance; federal	SEG–F	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			974,600	1,348,200

Vetoed In Part

Vetoed In Part

Statute, Agency and Purpose	Source	Type	1999–00		2000–01		
SEGREGATED FUNDS			–0–		–0–		
FEDERAL			(–0–)		(–0–)		
OTHER			(–0–)		(–0–)		
SERVICE			(–0–)		(–0–)		
TOTAL–ALL SOURCES			974,600		1,348,200		
(3) PRIVATE SEWAGE SYSTEM PROGRAM							
(q) Private sewage system loans	SEG	C	1,500,000		–0–		
(3) PROGRAM TOTALS							
SEGREGATED FUNDS			1,500,000		–0–		
OTHER			(1,500,000)		(–0–)		
TOTAL–ALL SOURCES			1,500,000		–0–		
20.320 DEPARTMENT TOTALS							
GENERAL PURPOSE REVENUES			28,112,100		32,429,300		
SEGREGATED FUNDS			5,500,000		4,000,000		
FEDERAL			(–0–)		(–0–)		
OTHER			(5,500,000)		(4,000,000)		
SERVICE			(–0–)		(–0–)		
TOTAL–ALL SOURCES			33,612,100		36,429,300		
20.360 Lower Wisconsin state riverway board							
(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY							
(g) Gifts and grants	PR	C	–0–		–0–		
(q) General program operations — conservation fund	SEG	A	125,600		125,600		
20.360 DEPARTMENT TOTALS							
PROGRAM REVENUE			–0–		–0–		
OTHER			(–0–)		(–0–)		
SEGREGATED FUNDS			125,600		125,600		
OTHER			(125,600)		(125,600)		
TOTAL–ALL SOURCES			125,600		125,600		
20.370 Natural resources, department of							
(1) LAND							
(cq) Forestry — reforestation	SEG	C	100,000		100,000		
(cr) Forestry — recording fees	SEG	C	50,000		50,000		
(cs) Forestry — forest fire emergencies	SEG	C	–0–		–0–		
(ct) Timber sales contracts – repair and reimbursement costs	SEG	C	–0–		–0–		
(ea) Parks — general program operations	GPR	A	4,974,400		4,974,400		
(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	50,000	27,600	200,000	172,400	**Vetoed In Part**
(hr) Pheasant restoration	SEG	C	469,400		469,400		
(ht) Wild turkey restoration	SEG	C	212,200		212,200		
(hu) Wetlands habitat improvement	SEG	C	338,400		338,400		
(it) Atlas revenues	SEG	C	–0–		–0–		
(iu) Gravel pit reclamation	SEG	C	–0–		–0–		
(jr) Rental property and equipment — maintenance and replacement	SEG	C	–0–		–0–		
(kq) Taxes and assessments — conservation fund	SEG	A	300,000		300,000		
(Lk) Wild crane management	PR–S	A	130,300	92,650	147,000	103,500	**Vetoed In Part**

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(Lq)	Trapper education program	SEG	C	29,100	29,100	
(Lr)	Beaver control; fish and wildlife account	SEG	C	36,600	36,600	
(Ls)	Control of wild animals	SEG	C	170,400	170,400	
(Lt)	Wildlife management	SEG	A	435,400	435,400	
(ma)	General program operations — state funds	GPR	A	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	504,000	429,000	
(mq)	General program operations — state snowmobile trails and areas	SEG	A	84,400	84,400	
(ms)	General program operations — state all–terrain vehicle projects	SEG	A	60,000	60,000	
(mt)	Land preservation and management – endowment fund	SEG	S	–0–	–0–	
(mu)	General program operations — state funds	SEG	A	–0–	–0–	
	Land program management	SEG	A	4,300,100	4,329,000	
	Wildlife management	SEG	A	7,907,700 7,875,400	7,954,400 7,911,400	Vetoed In Part
	Forestry	SEG	A	29,425,800 29,201,400	29,053,400 28,829,000	Vetoed In Part
	Southern forests	SEG	A	3,999,300	3,974,000	
	Parks and recreation	SEG	A	7,658,900	7,715,400	
	Facilities and lands	SEG	A	4,877,800	4,802,800	
	NET APPROPRIATION			58,169,600 57,912,900	57,829,000 57,561,600	Vetoed In Part
(my)	General program operations — federal funds	SEG–F	C	–0–	–0–	
	Wildlife management	SEG–F	C	3,494,100	3,494,100	
	Forestry	SEG–F	C	372,400	372,400	
	Southern forests	SEG–F	C	123,700	123,700	
	Parks and recreation	SEG–F	C	581,100	581,100	
	Endangered resources	SEG–F	C	496,500	496,500	
	Facilities and lands	SEG–F	C	1,672,200	1,672,200	
	NET APPROPRIATION			6,740,000	6,740,000	
(mz)	Forest fire emergencies — federal funds	SEG–F	C	–0–	–0–	
	(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				6,302,700	6,302,700	
PROGRAM REVENUE				1,128,100	1,219,800	
OTHER				(443,800)	(443,800)	
SERVICE				(684,300)	(776,000)	
SEGREGATED FUNDS				68,265,500	67,920,900	
FEDERAL				(6,740,000)	(6,740,000)	
OTHER				(61,525,500)	(61,180,900)	
TOTAL–ALL SOURCES				75,696,300	75,443,400	
(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–	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(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	
(dh)	Solid waste management–remediated property	PR	C	969,600 726,600	1,019,100 843,600	Vetoed In Part
(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	
(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	1,216,600	1,181,600	
(hr)	Study of landfill remediation	SEG	A	200,000	–0–	Vetoed In Part
(ma)	General program operations — state funds	GPR	A	2,939,100	2,938,800	
(mi)	General program operations — private and public sources	PR	C	–0–	–0–	
(mk)	General program operations — service funds	PR–S	C	100,000	100,000	
(mm)	General program operations — federal funds	PR–F	C	5,950,600	5,950,600	
(mq)	General program operations – environmental fund	SEG	A	4,323,000 4,031,400	4,302,400 4,126,900	Vetoed In Part
(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				19,881,200	19,860,800	
FEDERAL				(5,950,600)	(5,950,600)	
OTHER				(13,830,600)	(13,810,200)	
SERVICE				(100,000)	(100,000)	
SEGREGATED FUNDS				13,233,900	12,878,300	
FEDERAL				(1,328,100)	(1,328,100)	
OTHER				(11,905,800)	(11,550,200)	
TOTAL–ALL SOURCES				36,118,500	35,742,200	
(3)	ENFORCEMENT AND SCIENCE					
(ad)	Law enforcement – car killed deer; general fund	GPR	A	286,000	314,600	
(ak)	Law enforcement – snowmobile enforcement and safety training; service funds	PR–S	A	750,000	750,000	
(aq)	Law enforcement — snowmobile enforcement and safety training	SEG	A	1,500	63,800	
(ar)	Law enforcement — boat enforcement and safety training	SEG	A	1,977,700	1,951,400	
(as)	Law enforcement — all–terrain vehicle enforcement	SEG	A	183,600	183,600	
(at)	Education and safety programs	SEG	C	226,000	226,000	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(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–
(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	4,808,100	4,802,100
(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	14,676,600	14,718,800
(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				5,094,100	5,116,700
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				24,351,200	24,499,500
FEDERAL				(5,261,200)	(5,261,200)
OTHER				(19,090,000)	(19,238,300)
TOTAL–ALL SOURCES				32,298,300	32,469,200
(4)	WATER				
(af)	Water resources – remedial action	GPR	C	150,000	150,000
(ag)	Water resources – pollution credits	PR	C	–0–	–0–
(ah)	Water resources – Great Lakes protection fund	PR	C	229,000	229,000
(aq)	Water resources management – lake and river management	SEG	A	1,969,500	2,006,500
(ar)	Water resources – groundwater management	SEG	B	125,000	125,000
(as)	Water resources – trading water pollution credits	SEG	C	50,000	50,000
(at)	Watershed – nonpoint source contracts	SEG	B	1,079,300	1,079,300
(au)	Cooperative remedial action; contributions	SEG	C	–0–	–0–
(av)	Cooperative remedial action; interest on contributions	SEG	S	–0–	–0–
(bg)	Water regulation and zoning – computer access fees	PR	C	–0–	50,000
(bh)	Water regulation and zoning – dam inspect. and safety administ.; gen. fund	PR	A	–0–	–0–
(bi)	Water regulation and zoning – fees	PR	C	452,500	463,600
(bj)	Storm water management – fees	PR	A	406,900	404,100
(bL)	Wastewater management – fees	PR	C	221,500	221,500
(br)	Water reg. & zoning — dam safety & wetland mapping; conservation fund	SEG	A	501,000	501,000
(kk)	Fishery resources for ceded territories	PR–S	A	109,700	109,700
(ku)	Great Lakes trout and salmon	SEG	C	1,099,900	1,099,900
(kv)	Trout habitat improvement	SEG	C	1,088,100	1,088,100
(ma)	General program operations – state funds	GPR	A	–0–	–0–

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
	Watershed management	GPR	A	9,109,300	9,130,400	
	Fisheries management and habitat protection	GPR	A	3,252,300	3,252,300	
	Drinking water and groundwater	GPR	A	3,518,200	3,518,200	
	Water integration team	GPR	A	398,400	398,400	
	Water program management	GPR	A	2,890,500	2,831,800	
	NET APPROPRIATION			19,168,700	19,131,100	
(mi)	General program operations – private and public sources	PR	C	48,500	48,500	
(mk)	General program operations — service funds	PR–S	C	364,400	364,400	
(mm)	General program operations – federal funds	PR–F	C	–0–	–0–	
	Watershed management	PR–F	C	3,922,400	3,742,100	
	Fisheries management and habitat protection	PR–F	C	495,600	495,600	
	Drinking water and groundwater	PR–F	C	3,415,500	3,415,500	
	Water integration team	PR–F	C	–0–	–0–	
	Water program management	PR–F	C	–0–	–0–	
	NET APPROPRIATION			7,833,500	7,653,200	
(mq)	General program operations – environmental fund	SEG	A	–0–	–0–	
	Watershed management	SEG	A	713,800	699,500	
	Drinking water and groundwater	SEG	A	1,520,700	1,520,700	
	Water integration team	SEG	A	85,400	85,400	
	Water program management	SEG	A	66,100	66,100	
	NET APPROPRIATION			2,386,000	2,371,700	
(mr)	General program operations – nonpoint source	SEG	A	575,500	598,400	
(mt)	General program operations–environmental improvement programs; state funds	SEG	A	491,100	491,100	
(mu)	General program operations – state funds	SEG	A	13,170,600 13,138,300	13,181,300 13,138,300	**Vetoed In Part**
(mw)	Petroleum inspection fund supplement to env. fund; groundwater management	SEG	A	766,900	766,900	
(mx)	General program operations – clean water fund program; federal funds	SEG–F	C	554,400	554,400	
(my)	General program operations – environmental fund – federal funds	SEG–F	C	–0–	–0–	
(mz)	General program operations – federal funds	SEG–F	C	3,308,200	3,308,200	
(nz)	General program operations–safe drinking water loan programs; federal funds	SEG–F	C	63,700	63,700	
	(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				19,318,700	19,281,100	
PROGRAM REVENUE				9,666,000	9,544,000	
	FEDERAL			(7,833,500)	(7,653,200)	
	OTHER			(1,358,400)	(1,416,700)	
	SERVICE			(474,100)	(474,100)	
SEGREGATED FUNDS				27,229,200	27,285,500	
	FEDERAL			(3,926,300)	(3,926,300)	
	OTHER			(23,302,900)	(23,359,200)	
TOTAL–ALL SOURCES				56,213,900	56,110,600	
(5)	Conservation aids					
(ac)	Resource aids – Milwaukee public museum	GPR	A	–0–	–0–	
(aq)	Resource aids – Canadian agencies migratory waterfowl aids	SEG	C	169,200	169,200	
(ar)	Resource aids – county conservation aids	SEG	C	150,000	150,000	
(as)	Recreation aids – fish, wildlife, and forestry recreation aids	SEG	C	234,200	234,500	
(at)	Ice age trail area grants	SEG	A	75,000	75,000	
(av)	Resource aids – private forest grants	SEG	B	1,000,000	1,000,000	
(aw)	Resource aids – nonprofit conservation organizations	SEG	C	250,000 150,000	335,000 235,000	**Vetoed In Part**
(ay)	Resource aids – urban land conservation	SEG	A	75,000	75,000	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(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
(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	1,174,900	1,204,900
(bx)	Resource aids – national forest income aids	PR–F	C	782,200	782,200
(by)	Resource aids — fire suppression grants	SEG	A	198,000	198,000
(cb)	Recreation aids – snowmobile trail and area aids; general fund	GPR	A	125,000	125,000
(cq)	Recreation aids – recreational boating and other projects	SEG	C	4,547,000	4,547,000
(cr)	Recreation aids – county snowmobile trail and area aids	SEG	C	2,313,900	2,501,400
(cs)	Recreation aids – snowmobile trail areas	SEG	C	3,676,500	3,846,800
(ct)	Recreation aids – all–terrain vehicle project aids; gas tax payment	SEG	C	635,000	720,500
(cu)	Recreation aids — all–terrain vehicle project aids	SEG	C	450,300	450,300
(cv)	Recreation aids — motorcycle recreation aids; trails	SEG	A	100,000	100,000
(cy)	Recreation and resource aids, federal funds	SEG–F	C	510,900	510,900
(da)	Aids in lieu of taxes	GPR	S	2,100,000	2,100,000
(dq)	Aids in lieu of taxes	SEG	S	871,600	871,600
(dx)	Resource aids — payment in lieu of taxes; federal	PR–F	C	440,000	440,000
(ea)	Enforcement aids — spearfishing enforcement	GPR	C	–0–	–0–
(eq)	Enforcement aids — boating enforcement	SEG	A	1,100,000	1,100,000
(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	–0–	–0–
(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				2,225,000	2,225,000
PROGRAM REVENUE				1,222,200	1,222,200
	FEDERAL			(1,222,200)	(1,222,200)
SEGREGATED FUNDS				23,515,000	24,073,600
	FEDERAL			(510,900)	(510,900)
	OTHER			(23,004,100)	(23,562,700)
TOTAL–ALL SOURCES				26,962,200	27,520,800
(6)	Environmental aids				
(aa)	Environmental aids – non–point source	GPR	B	4,383,600	883,600
(ag)	Environmental aids – nonpoint repayments	PR	C	–0–	–0–
(aq)	Environmental aids — non–point source program	SEG	B	2,541,300	–0–
(ar)	Environmental aids – lake protection	SEG	C	2,875,400	2,675,400
(au)	Environmental aids – river protection; environmental fund	SEG	A	150,000	150,000
(av)	Environmental aids – river protection; conservation fund	SEG	A	150,000	150,000

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
(aw) Environmental aids – river protection; nonprofit organization contracts	SEG	C	75,000	75,000	
(ba) Environmental aids — dump closure cost share	GPR	C	1,247,700	1,247,700	
(bj) Environmental aids — waste reduction and recycling grants and gifts	PR	C	–0–	–0–	
(br) Environmental aids – waste reduction and recycling demonstration grants	SEG	C	–0–	500,000	
(bs) Environmental aids – household hazardous waste	SEG	A	150,000	150,000	
(bu) Financial assistance for responsible units	SEG	A	37,800,000 24,500,000	37,800,000 24,500,000	**Vetoed In Part**
(ca) Environmental aids – scenic urban waterways	GPR	C	–0–	–0–	
(ck) Environmental aids – drinking water study	PR–S	A	230,000 100,000	300,000	**Vetoed In Part**
(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	
(dq) Enviornmental aids – urban nonpoint source	SEG	A	2,000,000	2,000,000	
(dr) Environmental aids – municipal flood control and riparian restoration	SEG	A	1,000,000	1,000,000	**Vetoed In Part**
(eq) Environmental aids – dry cleaner environmental response	SEG	B	2,450,000	1,050,000	
(er) Environmental aids – sustainable urban development zones	SEG	B	2,380,000	–0–	
(es) Environmental aids – urban development, conservation fund	SEG	B	70,000	–0–	**Vetoed In Part**
(et) Environmental aids – brownfield site assessment	SEG	B	1,450,000	–0–	
(6) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			5,914,700	2,414,700	
PROGRAM REVENUE			685,600	755,600	
FEDERAL			(335,600)	(335,600)	
OTHER			(–0–)	(–0–)	
SERVICE			(350,000)	(420,000)	
SEGREGATED FUNDS			53,491,700	45,950,400	
OTHER			(53,491,700)	(45,950,400)	
TOTAL–ALL SOURCES			60,092,000	49,120,700	
(7) Debt service and development					
(aa) Resource acquisition and development – principal repayment and interest	GPR	S	18,297,900	20,489,000	
(ac) Principal repayment and interest – recreational boating bonds	GPR	S	–0–	–0–	
(ag) Land acquisiton; principal repayment and interest	PR	C	–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–	
(au) State forest acquisition and development — principal repayment and interest	SEG	A	3,000,000	3,000,000	
(ba) Debt service – remedial action	GPR	S	1,623,600	2,452,500	
(ca) Principal repayment and interest – nonpoint source grants	GPR	S	2,340,200	2,643,200	
(cb) Principal repayment and interest – pollution abatement bonds	GPR	S	71,590,000	69,540,700	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(cc)	Principal repay. and int. – combined sewer overflow; pollution abat. bonds	GPR	S	17,271,500	16,998,300	
(cd)	Principal repayment and interest – municipal clean drinking water grants	GPR	S	848,100	846,900	
(ce)	Principal repayment and interest – nonpoint source compliance	GPR	S	54,200	168,900	
(cf)	Principal repayment and interest – urban nonpoint source cost–sharing	GPR	S	–0–	–0–	
(da)	Prin repaymt and int – municipal flood control and riparian rest cost–sharg	GPR	S	–0–	–0–	**Vetoed In Part**
(ea)	Administrative facilities – principal repayment and interest	GPR	S	520,400	568,700	
(eq)	Administrative facilities – principal repayment and interest	SEG	S	1,280,100	1,500,200	
(er)	Administrative facilities – principal repayment & interest; env. fund	SEG	S	11,100	11,500	
(fa)	Resource maintenance and development – state funds	GPR	C	1,278,200	1,278,200	
(fk)	Resource acquisition and development – service funds; transportation moneys	PR–S	C	1,000,000	1,000,000	
(fr)	Resource acq. and dev. – boating access to southeastern lakes	SEG	C	100,000	100,000	
(fs)	Resource acquisition and development – state funds	SEG	C	918,300	2,185,300	
(ft)	Resource acquisition and development – boating access	SEG	C	200,000	200,000	
(fu)	Resource acquisition and development — nonmotorized boating improvements	SEG	C	–0–	–0–	
(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				115,907,200	117,069,500	
PROGRAM REVENUE				1,000,000	1,000,000	
	OTHER			(–0–)	(–0–)	
	SERVICE			(1,000,000)	(1,000,000)	
SEGREGATED FUNDS				8,676,600	10,385,600	
	FEDERAL			(1,960,200)	(1,960,200)	
	OTHER			(6,716,400)	(8,425,400)	
TOTAL–ALL SOURCES				125,583,800	128,455,100	
(8)	Administration and technology					
(ir)	Promotional activities and publications	SEG	C	83,000	83,000	
(iw)	Statewide recycling administration	SEG	A	392,000	392,000 217,000	**Vetoed In Part**
(ma)	General program operations — state funds	GPR	A	7,658,200	7,733,500	
(mc)	General fund transfer	GPR	S	–0–	–0–	**Vetoed In Part**
(mg)	General program operations — stationary sources	PR	A	922,200	922,200	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(mi)	General program operations — private and public sources	PR	C	–0–	–0–	
(mk)	General program operations — service funds	PR–S	C	5,622,400	5,622,400	
(mq)	General program operations — mobile sources	SEG	A	427,400	427,400	
(mr)	General program operations – environmental improvement fund	SEG	A	250,700	250,700	
(mt)	Equipment pool operations	SEG–S	C	–0–	–0–	
(mu)	General program operations — state funds	SEG	A	15,933,600	15,864,800	
(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				7,658,200	7,733,500	
PROGRAM REVENUE				7,653,600	7,653,600	
	OTHER			(922,200)	(922,200)	
	SERVICE			(6,731,400)	(6,731,400)	
SEGREGATED FUNDS				23,550,500	23,777,400	
	FEDERAL			(4,500,400)	(4,500,400)	
	OTHER			(19,050,100)	(19,277,000)	
	SERVICE			(–0–)	(–0–)	
TOTAL–ALL SOURCES				38,862,300	39,164,500	
(9)	Customer assistance and external relations					
(eg)	Gifts and grants; environmental management systems	PR	C	–0–	–0–	
(gb)	Education programs – program fees	PR	B	59,300	59,300	
(hk)	Approval fees to Lac du Flambeau band–service funds	PR–S	A	100,000	100,000	
(hs)	Approval fees from Lac du Flambeau band	SEG	C	–0–	–0–	
(ht)	Approval fees to Lac du Flambeau band	SEG	S	–0–	–0–	
(hu)	Handling, issuing and approval list fees	SEG	C	464,000	534,000	
(iq)	Natural resources magazine	SEG	C	873,000	923,000	
(is)	Statewide recycling administration	SEG	A	426,700	426,700	
(jL)	Fox river management; fees	PR	C	–0–	–0–	
(ju)	Fox river management	SEG	B	121,700	121,700	
(ma)	General program operations – state funds	GPR	A	2,394,200	2,367,000	
(mh)	General programs operations – stationary sources	PR	A	496,600	496,600	
(mi)	General program operations — private and public sources	PR	C	40,000	40,000	
(mj)	General program operations — solid and hazardous waste	PR	A	136,200	136,200	
(mk)	General program operations — service funds	PR–S	C	100,200	100,200	
(mm)	General program operations – federal funds	PR–F	C	251,100	236,900	
(mq)	General program operations – mobile sources	SEG	A	158,900	158,900	
(ms)	General program operations — cooperative environmental assistance	SEG	A	120,300	120,300	
(mt)	Aids administration — environmental improvement programs; state funds	SEG	A	1,013,200	1,013,200	
(mu)	General program operations – state funds	SEG	A	10,882,600 10,821,900	10,808,300 10,733,500	**Vetoed In Part**
(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	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(my)	General program operations – federal funds	SEG–F	C	100,900	100,900
(mz)	Indirect cost reimbursements	SEG–F	C	622,300	622,300
(nq)	Aids administration – dry cleaner environmental response	SEG	A	47,200	47,200
(ny)	Aids administration – safe drinking water loan programs; federal funds	SEG–F	C	99,600	99,600
	(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				2,394,200	2,367,000
PROGRAM REVENUE				1,183,400	1,169,200
FEDERAL				(251,100)	(236,900)
OTHER				(732,100)	(732,100)
SERVICE				(200,200)	(200,200)
SEGREGATED FUNDS				16,639,800	16,680,500
FEDERAL				(1,803,900)	(1,803,900)
OTHER				(14,835,900)	(14,876,600)
TOTAL–ALL SOURCES				20,217,400	20,216,700
	20.370 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES				167,818,200	165,513,300
PROGRAM REVENUE				45,273,100	45,278,200
FEDERAL				(16,032,900)	(15,838,400)
OTHER				(18,464,000)	(18,501,900)
SERVICE				(10,776,200)	(10,937,900)
SEGREGATED FUNDS				258,953,400	253,451,700
FEDERAL				(26,031,000)	(26,031,000)
OTHER				(232,922,400)	(227,420,700)
SERVICE				(–0–)	(–0–)
TOTAL–ALL SOURCES				472,044,700	464,243,200
20.380	**Tourism, department of**				
(1)	TOURISM DEVELOPMENT PROMOTION				
(a)	General program operations	GPR	A	3,926,900	3,926,900
(b)	Tourism marketing; general purpose revenue	GPR	A	7,691,000	7,691,000
(bm)	Heritage tourism program	GPR	B	135,400	135,400
(c)	Internet referral system grants	GPR	B	50,000	–0–
(g)	Gifts, grants and proceeds	PR	C	6,200	6,200
(h)	Tourism promotion; sale of surplus property	PR	C	–0–	–0–
(j)	Tourism promotion – private and public sources	PR	C	100,000	100,000
(k)	Sale of materials or services	PR–S	C	–0–	–0–
(ka)	Sales of materials or services–local assistance	PR–S	C	–0–	–0–
(kb)	Sales of materials or services–individuals and organizations	PR–S	C	–0–	–0–
(kc)	Marketing clearinghouse charges	PR–S	A	–0–	–0–
(kg)	Tourism marketing; gaming revenue	PR–S	C	3,976,500	3,969,500
(km)	Tourist information assistant	PR	A	23,500	30,500
(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				11,803,300	11,753,300
PROGRAM REVENUE				4,106,200	4,106,200
FEDERAL				(–0–)	(–0–)
OTHER				(129,700)	(136,700)
SERVICE				(3,976,500)	(3,969,500)
SEGREGATED FUNDS				46,400	46,400
OTHER				(46,400)	(46,400)
TOTAL–ALL SOURCES				15,955,900	15,905,900
(2)	KICKAPOO VALLEY RESERVE				
(dq)	Kickapoo valley reserve; aids in lieu of taxes	GPR	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(ip) Kickapoo reserve management board; program services	PR	C	–0–	–0–
(ir) Kickapoo reserve management board; gifts and grants	PR	C	–0–	–0–
(ms) Kickapoo reserve management board; federal aid	PR–F	C	–0–	–0–
(q) Kickapoo reserve management board; general program operations	SEG	A	194,100	194,100
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
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			11,803,300	11,753,300
PROGRAM REVENUE			4,106,200	4,106,200
FEDERAL			(–0–)	(–0–)
OTHER			(129,700)	(136,700)
SERVICE			(3,976,500)	(3,969,500)
SEGREGATED FUNDS			240,500	240,500
OTHER			(240,500)	(240,500)
TOTAL–ALL SOURCES			16,150,000	16,100,000
20.395 Transportation, department of				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	–0–	–0–
(as) Transportation aids to counties, state funds	SEG	A	81,401,900	84,059,500
(at) Transportation aids to municipalities, state funds	SEG	A	256,100,300	264,461,500
(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	853,600	921,900
(cr) Elderly and disabled county aids, state funds	SEG	A	6,890,400	7,441,600
(cv) Elderly and disabled aids, local funds	SEG–L	C	588,500	605,500
(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	1,763,400	1,425,000
(fu) County forest road aids, state funds	SEG	A	303,300	303,300
(gq) Expressway policing aids, state funds	SEG	A	1,005,800	1,040,800
(hq) Tier A transit operating aids, state funds	SEG	A	47,438,100	–0–
(hr) Tier B transit operating aids, state funds	SEG	A	18,767,900	19,804,200
(hs) Tier C transit operating aids, state funds	SEG	A	5,069,300	5,349,100
(ht) Tier A–1 transit operating aids, state funds	SEG	A	13,388,900	53,555,600
(hu) Tier A–2 transit operating aids, state funds	SEG	A	3,574,400	14,297,600
(1) PROGRAM TOTALS				
SEGREGATED FUNDS			474,243,700	490,363,500
FEDERAL			(23,200,000)	(23,200,000)
OTHER			(450,345,200)	(466,448,000)

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
LOCAL				(698,500)	(715,500)
TOTAL–ALL SOURCES				474,243,700	490,363,500
(2)	LOCAL TRANSPORTATION ASSISTANCE				
(aq)	Accelerated local bridge improvement assistance, state funds	SEG	C	6,500,000	–0–
(av)	Accelerated local bridge improvement assistance, local funds	SEG–L	C	2,500,000	–0–
(ax)	Accelerated local bridge improvement assistance, federal funds	SEG–F	C	51,000,000	–0–
(bq)	Rail service assistance, state funds	SEG	C	666,800	666,800
(bu)	Freight rail infrastructure improvements, state funds	SEG	C	3,579,800	3,079,800
(bv)	Rail service assistance, local funds	SEG–L	C	500,000	500,000
(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	742,500	408,400
(ct)	Passenger railroad station improvement grants, state funds	SEG	B	60,000	–0–
(cu)	Passenger railroad station improvement grants, local funds	SEG–L	C	120,000	–0–
(cv)	Rail passenger service, local funds	SEG–L	C	–0–	–0–
(cx)	Rail passenger service; federal funds	SEG–F	C	3,470,000	3,675,400
(dq)	Aeronautics assistance, state funds	SEG	C	11,832,200	11,832,200
(ds)	Aviation career education, state funds	SEG	A	95,300	138,300
(dv)	Aeronautics assistance, local funds	SEG–L	C	6,985,200	6,985,200
(dx)	Aeronautics assistance, federal funds	SEG–F	C	20,000,000	20,000,000
(eq)	Highway and local bridge improvement assistance, state funds	SEG	C	8,472,300	8,472,300
(ev)	Local bridge improvement assistance, local funds	SEG–L	C	8,780,400	8,780,400
(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	23,831,200	21,331,200
(fv)	Local transportation facility improvement assistance, local funds	SEG–L	C	38,603,200	34,603,200
(fx)	Local transportation facility improvement assistance, federal funds	SEG–F	C	77,379,700	71,379,700
(gj)	Railroad crossing protection installation and maintenance, state funds	SEG	C	–0–	–0–
(gq)	Railroad crossing improvement and protection maintenance, state funds	SEG	A	2,250,000	2,250,000
(gr)	Railroad crossing improvement and protection installation, state funds	SEG	C	700,000	700,000
(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–
(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–

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(jv)	Surface transportation grants, local funds	SEG–L	C	680,000	680,000	
(jx)	Surface transportation grants, federal funds	SEG–F	C	1,088,000	1,088,000	
(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	9,373,900	9,373,900	
(nv)	Transportation enhancement activities, local funds	SEG–L	C	1,562,000	1,562,000	
(nx)	Transporation enhancement activities, federal funds	SEG–F	C	1,249,600	1,249,600	
(ny)	Milwaukee lakeshore walkway	SEG–F	B	1,000,000	1,000,000	
(ox)	Bicycle and pedestrian facilities grants, federal funds	SEG–F	C	9,755,000	9,755,000	**Vetoed In Part**
(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				336,376,100	263,610,400	
FEDERAL				(204,203,700)	(147,409,100)	
OTHER				(63,816,900)	(53,965,800)	
SERVICE				(–0–)	(–0–)	
LOCAL				(68,355,500)	(62,235,500)	
TOTAL–ALL SOURCES				336,376,100	263,610,400	
(3)	STATE HIGHWAY FACILITIES					
(bq)	Major highway development, state funds	SEG	C	42,546,400	42,158,200	
(br)	Major highway development, service funds	SEG–S	C	119,629,900	119,907,200	
(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	
(cq)	State highway rehabilitation, state funds	SEG	C	249,412,700	248,436,200	
(cv)	State highway rehabilitation, local funds	SEG–L	C	2,000,000	2,000,000	
(cx)	State highway rehabilitation, federal funds	SEG–F	C	295,761,500	301,215,500	
(eq)	Highway maintenance, repair and traffic operations, state funds	SEG	B	154,228,300	154,738,300	
(ev)	Highway maintenance, repair and traffic operations, local funds	SEG–L	C	250,000	250,000	
(ex)	Highway maintenance, repair and traffic operations, federal funds	SEG–F	C	1,194,000	1,194,000	
(gq)	Intelligent transportation systems, state funds	SEG	A	–0–	–0–	**Vetoed In Part**
(gv)	Intelligent transportation systems, local funds	SEG–L	C	–0–	–0–	
(gx)	Intelligent transportation systems, federal funds	SEG–F	C	–0–	–0–	
(iq)	Administration and planning, state funds	SEG	A	19,486,000	19,431,000	
(ir)	Disadvantaged business mobilization assistance, state funds	SEG	C	–0–	–0–	
(iv)	Administration and planning, local funds	SEG–L	C	–0–	–0–	
(ix)	Administration and planning, federal funds	SEG–F	C	5,800,000	5,800,000	
	(3) PROGRAM TOTALS					
SEGREGATED FUNDS				947,636,900	953,078,900	
FEDERAL				(360,083,600)	(366,158,000)	
OTHER				(465,673,400)	(464,763,700)	
SERVICE				(119,629,900)	(119,907,200)	
LOCAL				(2,250,000)	(2,250,000)	
TOTAL–ALL SOURCES				947,636,900	953,078,900	
(4)	GENERAL TRANSPORTATION OPERATIONS					

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(aq)	Departmental management and operations, state funds	SEG	A	48,831,400	50,145,500
(ar)	Minor construction projects, state funds	SEG	C	–0–	–0–
(at)	Capital building projects, service funds	SEG–S	C	2,785,400	2,785,400
(av)	Departmental management and operations, local funds	SEG–L	C	369,000	369,000
(ax)	Departmental management and operations, federal funds	SEG–F	C	13,677,900	13,715,300
(ch)	Gifts and grants	SEG	C	–0–	–0–
(dq)	Demand management	SEG	A	280,300	280,300
(eq)	Data processing services, service funds	SEG–S	C	15,109,600	15,109,600
(er)	Fleet operations, service funds	SEG–S	C	11,823,100	12,000,300
(es)	Other department services, operations, service funds	SEG–S	C	1,051,100	1,051,100
(et)	Equipment acquisition	SEG	A	–0–	–0–
(ew)	Operating budget supplements, state funds	SEG	C	–0–	–0–
	(4) PROGRAM TOTALS				
SEGREGATED FUNDS				93,927,800	95,456,500
	FEDERAL			(13,677,900)	(13,715,300)
	OTHER			(49,111,700)	(50,425,800)
	SERVICE			(30,769,200)	(30,946,400)
	LOCAL			(369,000)	(369,000)
TOTAL–ALL SOURCES				93,927,800	95,456,500
(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	67,083,200	67,937,400
(cx)	Vehicle registration and driver licensing, federal funds	SEG–F	C	200,000	200,000
(dg)	Escort, security and traffic enforcement services, state funds	PR	C	79,200	79,200
(dh)	Traffic academy tuition payments, state funds	PR	C	341,500	374,800
(di)	Chemical testing training and services, state funds	PR	A	1,041,500	1,003,800
(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	42,954,900	44,077,600
(dx)	Vehicle inspection and traffic enforcement, federal funds	SEG–F	C	2,194,800	2,159,800
(hq)	Motor veh. emission insp. and maint. program, contractor costs, state funds	SEG	A	7,881,700	7,881,700
(hx)	Motor vehicle emission inspection and maintenance programs, federal funds	SEG–F	C	2,528,000	2,854,800
(iv)	Municipal and county registration fee, local funds	SEG–L	C	–0–	–0–
(jr)	Pretrial intoxicated driver intervention grants, state funds	SEG	A	265,000	464,700
	(5) PROGRAM TOTALS				
PROGRAM REVENUE				1,977,300	1,682,000
	OTHER			(1,775,100)	(1,479,800)
	SERVICE			(202,200)	(202,200)
SEGREGATED FUNDS				123,107,600	125,576,000
	FEDERAL			(4,922,800)	(5,214,600)
	OTHER			(118,184,800)	(120,361,400)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			125,084,900	127,258,000
(6) DEBT SERVICES				
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	6,278,800	6,353,500
(ar) Principal repayment and interest, buildings, state funds	SEG	S	510,100	327,600
(6) PROGRAM TOTALS				
SEGREGATED FUNDS			6,788,900	6,681,100
OTHER			(6,788,900)	(6,681,100)
TOTAL–ALL SOURCES			6,788,900	6,681,100
(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			1,982,081,000	1,934,766,400
FEDERAL			(606,088,000)	(555,697,000)
OTHER			(1,153,920,900)	(1,162,645,800)
SERVICE			(150,399,100)	(150,853,600)
LOCAL			(71,673,000)	(65,570,000)
TOTAL–ALL SOURCES			1,984,058,300	1,936,448,400
Environmental Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			207,733,600	209,695,900
PROGRAM REVENUE			51,356,600	51,066,400
FEDERAL			(16,032,900)	(15,838,400)
OTHER			(20,368,800)	(20,118,400)
SERVICE			(14,954,900)	(15,109,600)
SEGREGATED FUNDS			2,247,083,500	2,192,772,200
FEDERAL			(632,119,000)	(581,728,000)
OTHER			(1,392,892,400)	(1,394,620,600)
SERVICE			(150,399,100)	(150,853,600)
LOCAL			(71,673,000)	(65,570,000)
TOTAL–ALL SOURCES			2,506,173,700	2,453,534,500

Human Relations and Resources

20.410 Corrections, department of

(1) ADULT CORRECTIONAL SERVICES				
(a) General program operations	GPR	A	288,663,000	304,335,200
(aa) Institutional repair and maintenance	GPR	A	3,222,400	3,514,200
(ab) Corrections contracts and agreements	GPR	A	85,122,100	85,224,100
(b) Services for community corrections	GPR	A	110,392,900	123,464,400
(bm) Pharmacological treatment for certain child sex offenders	GPR	A	676,800	676,800
(bn) Reimbursing counties for probation, extended supervision and parole holds	GPR	A	4,019,800	4,019,800
(c) Reimbursement claims of counties containing state prisons	GPR	S	261,900	261,900
(cm) Home detention program	GPR	A	–0–	–0–
(cw) Mother–young child care program	GPR	A	200,000	200,000
(d) Purchased services for offenders	GPR	A	14,962,900	15,157,800

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(e)	Principal repayment and interest	GPR	S	49,422,800	49,709,200
(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	9,882,700
(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	5,114,000	5,300,000
(gg)	Supervision of defendants and offenders	PR	A	–0–	–0–
(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	693,000	693,000
(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
(kh)	Victim services and programs	PR–S	A	104,100	171,400
(kk)	Institutional operations and charges	PR–S	A	12,795,000	12,795,700
(km)	Prison industries	PR–S	A	20,808,900	21,508,000
(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
(kx)	Interagency and intra–agency programs	PR–S	C	2,767,400	3,358,900
(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	2,473,100	2,473,100
(n)	Federal program operations	PR–F	C	86,800	86,800
(qm)	Computer recycling	SEG	A	500,000	500,000
	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				566,577,300	596,446,100
PROGRAM REVENUE				57,102,900	58,545,600
FEDERAL				(2,559,900)	(2,559,900)
OTHER				(10,784,100)	(10,749,900)
SERVICE				(43,758,900)	(45,235,800)
SEGREGATED FUNDS				500,000	500,000
OTHER				(500,000)	(500,000)
TOTAL–ALL SOURCES				624,180,200	655,491,700
(2)	PAROLE COMMISSION				
(a)	General program operations	GPR	A	727,800	727,800
(kx)	Interagency and intra–agency programs	PR–S	C	–0–	–0–
	(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				727,800	727,800
PROGRAM REVENUE				–0–	–0–
SERVICE				(–0–)	(–0–)
TOTAL–ALL SOURCES				727,800	727,800
(3)	JUVENILE CORRECTIONAL SERVICES				
(a)	General program operations	GPR	A	1,498,200	1,498,200
(ba)	Mendota juvenile treatment center	GPR	A	1,273,900	1,379,300

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(bb)	Juvenile boot camp program	GPR	A	844,400	712,800	
(c)	Reimbursement claims of counties containing secured correctional facilities	GPR	A	200,000	200,000	
(cd)	Community youth and family aids	GPR	A	81,734,500	83,734,500	
(cg)	Serious juvenile offenders	GPR	B	11,973,400	14,407,100 13,813,200	**Vetoed In Part**
(d)	Youth diversion	GPR	A	380,000	380,000	
(e)	Principal repayment and interest	GPR	S	4,361,400	4,131,600	
(f)	Community intervention program	GPR	A	5,000,000 3,750,000	5,000,000 3,750,000	**Vetoed In Part**
(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	61,540,700	61,471,800	
(ho)	Juvenile residential aftercare	PR	A	10,566,600	12,387,500	
(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	720,000	720,000	
(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	30,000	30,000	
(o)	Federal aid; foster care and treatment foster care	PR–F	C	–0–	–0–	
(q)	Girls school benevolent trust fund	SEG	C	–0–	–0–	
	(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				107,265,800	111,443,500	
PROGRAM REVENUE				80,651,100	82,468,000	
FEDERAL				(30,000)	(30,000)	
OTHER				(75,900,700)	(77,717,600)	
SERVICE				(4,720,400)	(4,720,400)	
SEGREGATED FUNDS				–0–	–0–	
OTHER				(–0–)	(–0–)	
TOTAL–ALL SOURCES				187,916,900	193,911,500	
	20.410 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				674,570,900	708,617,400	
PROGRAM REVENUE				137,754,000	141,013,600	
FEDERAL				(2,589,900)	(2,589,900)	
OTHER				(86,684,800)	(88,467,500)	
SERVICE				(48,479,300)	(49,956,200)	
SEGREGATED FUNDS				500,000	500,000	
OTHER				(500,000)	(500,000)	
TOTAL–ALL SOURCES				812,824,900	850,131,000	
20.425 Employment relations commission						
(1)	PROMOTION OF PEACE IN LABOR RELATIONS					
(a)	General program operations	GPR	A	2,662,600	2,662,600	
(g)	Publications	PR	A	31,200	19,300	
(h)	Collective bargaining training	PR	A	50,500	12,000	
(i)	Fees	PR	A	190,200	190,200	
	20.425 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				2,662,600	2,662,600	
PROGRAM REVENUE				271,900	221,500	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01	
OTHER			(271,900)	(221,500)	
TOTAL–ALL SOURCES			2,934,500	2,884,100	
20.432 Board on aging and long–term care					
(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED					
(a) General program operations	GPR	A	578,400	618,500 602,500	**Vetoed In Part**
(i) Gifts and grants	PR	C	–0–	–0–	
(k) Contracts with state agencies	PR–S	A	842,700	1,072,000 1,061,400	**Vetoed In Part**
(kb) Insurance and other information, counseling and assistance	PR–S	A	229,500	248,800	
(m) Federal aid	PR–F	C	–0–	–0–	
20.432 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			578,400	618,500	
PROGRAM REVENUE			1,072,200	1,320,800	
FEDERAL			(–0–)	(–0–)	
OTHER			(–0–)	(–0–)	
SERVICE			(1,072,200)	(1,320,800)	
TOTAL–ALL SOURCES			1,650,600	1,939,300	
20.433 Child abuse and neglect prevention board					
(1) PREVENTION OF CHILD ABUSE AND NEGLECT					
(b) Early childhood family education center grants	GPR	A	–0–	–0–	
(g) General program operations	PR	A	296,400	309,500	
(h) Grants to organizations	PR	C	1,480,000	1,480,000	
(i) Gifts and grants	PR	C	–0–	–0–	
(k) Interagency programs	PR–S	C	340,000	340,000	
(m) Federal project operations	PR–F	C	108,500	108,500	
(ma) Federal project aids	PR–F	C	350,000	350,000	
(q) Children's trust fund grants	SEG	C	–0–	–0–	
(r) Children's trust fund; general program operations and statewide projects	SEG	A	30,000	30,000	
20.433 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			–0–	–0–	
PROGRAM REVENUE			2,574,900	2,588,000	
FEDERAL			(458,500)	(458,500)	
OTHER			(1,776,400)	(1,789,500)	
SERVICE			(340,000)	(340,000)	
SEGREGATED FUNDS			30,000	30,000	
OTHER			(30,000)	(30,000)	
TOTAL–ALL SOURCES			2,604,900	2,618,000	
20.434 Adolescent pregnancy prevention and pregnancy services					
(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES					
(a) General program operations	GPR	A	22,400	22,400	
(b) Grants to organizations	GPR	A	87,900	87,900	
(kp) Interagency and intra–agency programs	PR–S	A	89,800	89,800	
(ky) Interagency and intra–agency aids; pregnancy prevention and services	PR–S	C	351,400	351,400	
20.434 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			110,300	110,300	
PROGRAM REVENUE			441,200	441,200	
SERVICE			(441,200)	(441,200)	
TOTAL–ALL SOURCES			551,500	551,500	
20.435 Health and family services, department of					
(1) PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; STATE OPERATIONS					
(a) General program operations	GPR	A	5,341,000	5,243,000 5,143,000	**Vetoed In Part**
(gm) Licensing, review and certifying activities fee; supplies and services	PR	A	4,955,000	5,097,000	
(gr) Supplemental food program for women, infants and children adminstration	PR	C	–0–	–0–	
(i) Gifts and grants	PR	C	174,500	204,900	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(jb)	Congenital disorders; operations	PR	A	16,200	16,200
(kx)	Interagency and intra–agency programs	PR–S	C	696,600	740,400
(m)	Federal project operations	PR–F	C	11,765,300	12,689,700
(mc)	Block grant operations	PR–F	C	6,077,100	6,079,000
(n)	Federal program operations	PR–F	C	2,962,500	2,973,200
(q)	Groundwater and air quality standards	SEG	A	331,000	331,000
	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				5,341,000	5,243,000
PROGRAM REVENUE				26,647,200	27,800,400
FEDERAL				(20,804,900)	(21,741,900)
OTHER				(5,145,700)	(5,318,100)
SERVICE				(696,600)	(740,400)
SEGREGATED FUNDS				331,000	331,000
OTHER				(331,000)	(331,000)
TOTAL–ALL SOURCES				32,319,200	33,374,400
(2)	Care and treatment facilities				
(a)	General program operations	GPR	A	39,482,600	39,743,400
(aa)	Institutional repair and maintenance	GPR	A	415,700	442,400
(b)	Wisconsin resource center	GPR	A	20,118,700	27,535,400
(bj)	Conditional and supervised release treatment and services	GPR	B	3,568,500	4,060,300
(bm)	Secure mental health units or facilities	GPR	A	8,866,600	8,141,200
(ee)	Principal repayment and interest	GPR	S	10,373,700	10,925,900
(ef)	Lease rental payments	GPR	S	–0–	–0–
(f)	Energy costs	GPR	A	2,241,900	2,283,600
(gk)	Institutional operations and charges	PR	A	150,426,300	152,571,600
(gs)	Sex offender honesty testing	PR	C	–0–	–0–
(i)	Gifts and grants	PR	C	173,400	173,400
(kx)	Interagency and intra–agency programs	PR–S	C	6,788,200	6,897,300
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
	(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				85,067,700	93,132,200
PROGRAM REVENUE				157,387,900	159,642,300
FEDERAL				(–0–)	(–0–)
OTHER				(150,599,700)	(152,745,000)
SERVICE				(6,788,200)	(6,897,300)
TOTAL–ALL SOURCES				242,455,600	252,774,500
(3)	Children and family services				
(a)	General program operations	GPR	A	3,169,100	3,501,300
(bc)	Grants for community programs	GPR	A	847,200	847,200
(bm)	Assistance for children and families	GPR	S	–0–	250,000
(c)	Statutory rape prosecution pilot program	GPR	C	183,700	–0–
(cd)	Domestic abuse grants	GPR	A	5,070,200	5,070,200
(cf)	Foster, treatment foster and family–operated group home ins. & liability	GPR	A	60,000	60,000
(cw)	Milwaukee child welfare services; general program operations	GPR	A	10,870,200	11,177,700
(cx)	Milwaukee child welfare services; aids	GPR	A	23,478,400	12,161,500
(dd)	State foster care and adoption services	GPR	A	19,692,600	22,922,100
(de)	Child abuse and neglect prevention grants	GPR	A	995,700	995,700
(df)	Child abuse and neglect prevention technical assistance	GPR	A	160,000	160,000
(dg)	State adoption information exchange and state adoption center	GPR	A	125,000	125,000
(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–

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(gx)	Milwaukee child welfare services; collections	PR	C	2,992,300	2,992,300	
(hh)	Domestic abuse assessment grants	PR	C	300,000	300,000	
(i)	Gifts and grants	PR	C	–0–	–0–	
(jb)	Fees for administrative services	PR	C	20,000	20,000	
(jj)	Searches for birth parents and adoption record information; foreign adopt	PR	A	60,800	60,800	
(jm)	Licensing activities	PR	A	758,000	758,300	
(kc)	Interagency and intra–agency aids; kinship care and long–term kinship care	PR–S	A	22,965,400 22,465,400	24,521,700	**Vetoed In Part**
(kd)	Kinship care and long–term kinship care assessments	PR–S	A	1,464,000	1,464,000	
(km)	Federal block grant transfer; aids	PR–S	A	2,492,100	2,517,100	
(kw)	Interagency and intra–agency aids; Milwaukee child welfare services	PR–S	C	58,893,500	58,893,500	
(kx)	Interagency and intra–agency programs	PR–S	C	4,413,500	4,519,100	
(ky)	Interagency and intra–agency aids	PR–S	C	815,000	815,000	
(kz)	Interagency and intra–agency local assistance	PR–S	C	1,090,000	1,090,000	
(m)	Federal project operations	PR–F	C	270,200	270,300	
(ma)	Federal project aids	PR–F	C	1,593,300	1,468,300	
(mb)	Federal project local assistance	PR–F	C	–0–	–0–	
(mc)	Federal block grant operations	PR–F	C	2,313,000	2,051,200	
(md)	Federal block grant aids	PR–F	C	6,314,700	5,114,700	
(me)	Federal block grant local assistance	PR–F	C	250,000	–0–	
(mw)	Federal aid; Milwaukee child welfare services general program operations	PR–F	C	4,617,400	4,891,000	
(mx)	Federal aid; Milwaukee child welfare services aids	PR–F	C	6,187,300	6,934,800	
(n)	Federal program operations	PR–F	C	4,158,500	5,104,200	
(na)	Federal program aids	PR–F	C	2,915,000	2,915,000	
(nL)	Federal program local assistance	PR–F	C	4,560,600	5,889,200	
(o)	Community aids; prevention activities	PR–F	C	2,710,100	2,710,100	
(pd)	Federal aid; state foster care and adoption services	PR–F	C	18,314,300	21,283,100	
(pm)	Federal aid; adoption incentive payments	PR–F	C	317,400	1,022,100	
	(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				65,187,100	58,033,100	
PROGRAM REVENUE				150,786,400	157,605,800	
FEDERAL				(54,521,800)	(59,654,000)	
OTHER				(4,131,100)	(4,131,400)	
SERVICE				(92,133,500)	(93,820,400)	
TOTAL–ALL SOURCES				215,973,500	215,638,900	
(4)	HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH CARE FINANCING					
(a)	General program operations	GPR	A	7,313,200	7,378,800	
(af)	HIRSP; transfer to fund for costs	GPR	A	9,900,000	11,900,000	
(ah)	HIRSP; transfer to fund for premium and deductible reduction subsidy	GPR	B	780,800	780,800	
(b)	Medical assistance program benefits	GPR	B	972,242,300	986,497,400 986,312,200	**Vetoed In Part**
(bc)	Health care for low–income families	GPR	C	22,356,500	34,218,300	
(bm)	Medical assistance administration	GPR	B	19,193,200	18,813,800	
(bt)	Relief block grants to counties	GPR	A	2,000,000	2,000,000	
(d)	Facility appeals mechanism	GPR	A	546,800	546,800	
(e)	Disease aids	GPR	B	4,060,300	4,932,000	
(g)	Family care benefit; cost sharing	PR	C	–0–	8,476,700	
(gm)	Health services regulation and vital statistics	PR	A	1,610,100	1,610,700	
(gp)	Health care and graduate medical education; aids	PR	C	1,550,000	1,500,000	
(h)	General assistance medical program; intergovernmental transfer	PR	A	2,500,000	2,500,000	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(hg)	General program operations; health care information	PR	A	2,092,000	2,437,500	
(hi)	Compilations and special reports	PR	C	–0–	–0–	
(i)	Gifts and grants; health care financing	PR	C	–0–	–0–	
(im)	Medical assistance; recovery of correct payments	PR	C	14,502,700	14,502,700	
(in)	Community options program; costs of care recovery administration	PR	A	72,500	72,600	
(jz)	Badger care premiums	PR	C	1,199,300	1,660,200	
(kb)	Relief block grants to tribal governing bodies	PR–S	A	800,000	800,000	
(kx)	Interagency and intra–agency programs	PR–S	C	1,074,000	1,374,000	
(ky)	Interagency and intra–agency aids	PR–S	C	1,008,700	1,070,000	
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–	
(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	22,370,400	22,506,800	
(na)	Federal program aids	PR–F	C	7,088,700	7,088,700	
(o)	Federal aid; medical assistance	PR–F	C	1,766,435,700	1,852,582,900	
(p)	Federal aid; health care for low–income families	PR–F	C	40,033,600	61,758,100	
(pa)	Federal aid; medical assistance contracts administration	PR–F	C	35,269,200	36,889,100	
(u)	HIRSP; administration	SEG	B	3,805,000	3,805,000	
(v)	HIRSP; program benefits	SEG	C	46,668,500	46,668,500	
	(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				1,038,393,100	1,067,067,900	
PROGRAM REVENUE				1,897,954,400	2,017,168,500	
FEDERAL				(1,871,545,100)	(1,981,164,100)	
OTHER				(23,526,600)	(32,760,400)	
SERVICE				(2,882,700)	(3,244,000)	
SEGREGATED FUNDS				50,473,500	50,473,500	
OTHER				(50,473,500)	(50,473,500)	
TOTAL–ALL SOURCES				2,986,821,000	3,134,709,900	
(5)	PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; AIDS/LOCAL ASSIST					
(am)	Services, reimburse & payment related to acquired immunodeficiency syndrome	GPR	A	3,715,900	4,083,800	
(cb)	Women's health services	GPR	A	1,225,000	1,027,600	
(cc)	Cancer treatment, training, follow–up, control and prevention	GPR	A	1,282,800	1,282,800	
(ce)	Services for homeless individuals	GPR	C	125,000	125,000	
(ch)	Emergency medical services; aids	GPR	A	2,200,000	2,200,000	
(cm)	Immunization	GPR	S	–0–	–0–	
(de)	Dental services	GPR	A	2,860,500	2,970,500	
(dg)	Tobacco prevention and education program	GPR	A	1,000,000	1,000,000	
(ds)	Statewide poison control program	GPR	A	375,000	375,000	
(e)	Public health dispensaries and drugs	GPR	B	391,900	391,900	
(ed)	Radon aids	GPR	A	30,000	30,000	
(ef)	Lead poisoning or lead exposure services	GPR	A	1,004,100	1,004,100	
(eg)	Pregnancy counseling	GPR	A	275,000	275,000	
(em)	Supplemental food program for women, infants and children benefits	GPR	C	167,300	167,300	
(ev)	Pregnancy outreach and infant health	GPR	A	350,000	350,000	
(f)	Family planning	GPR	A	1,955,200	1,955,200	
(fh)	Community health services	GPR	A	3,975,000	4,475,000 4,175,000	**Vetoed In Part**
(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	
(jk)	Newborn hearing screening programs	PR	C	333,000	333,000	**Vetoed In Part**
(ke)	Cooperative American Indian health projects	PR–S	A	120,000	120,000	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(ky)	Interagency and intra–agency aids	PR–S	C	2,517,000	2,517,000	
(kz)	Interagency and intra–agency local assistance	PR–S	C	234,100	234,100	
(ma)	Federal project aids	PR–F	C	3,614,100	3,614,100	
(md)	Block grant aids	PR–F	C	9,174,000	9,174,000	
(na)	Federal program aids	PR–F	C	56,803,000	56,803,000	
	(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				20,932,700	21,713,200	
PROGRAM REVENUE				74,251,600	74,251,600	
FEDERAL				(69,591,100)	(69,591,100)	
OTHER				(1,789,400)	(1,789,400)	
SERVICE				(2,871,100)	(2,871,100)	
TOTAL–ALL SOURCES				95,184,300	95,964,800	
(6)	Supportive living; state operations					
(a)	General program operations; projects; council on physical disabilities	GPR	A	13,420,300	13,901,200	
(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	2,729,500	3,124,200	
(k)	Nursing home monitoring and receivership operations	PR–S	C	–0–	–0–	
(kd)	Rehabilitation teaching administration	PR–S	C	100,000	100,000	**Vetoed In Part**
(kx)	Interagency and intra–agency programs	PR–S	C	1,579,800	1,531,900	
(m)	Federal project operations	PR–F	C	4,392,200	4,263,700	
(mc)	Federal block grant operations	PR–F	C	2,138,200	2,099,800	
(n)	Federal program operations	PR–F	C	14,558,100	14,917,300	
	(6) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				14,312,600	14,792,400	
PROGRAM REVENUE				26,963,600	27,502,700	
FEDERAL				(21,088,500)	(21,280,800)	
OTHER				(4,195,300)	(4,590,000)	
SERVICE				(1,679,800)	(1,631,900)	
TOTAL–ALL SOURCES				41,276,200	42,295,100	
(7)	Supportive living; aids and local assistance					
(b)	Community aids	GPR	A	182,507,900	195,965,700	
(bc)	Grants for community programs	GPR	A	6,757,600	6,727,600	
(bd)	Community options program; pilot projects; family care benefit	GPR	A	103,982,800	105,967,200	
(be)	Mental health treatment services	GPR	A	12,334,000	12,334,000	
(bg)	Alzheimer's disease; training and information grants	GPR	A	132,700	132,700	
(bL)	Community support program grants	GPR	A	186,900	186,900	
(bm)	Purchased services for clients	GPR	A	163,900	163,900	
(br)	Respite care	GPR	A	50,000	225,000	
(bt)	Early intervention services for infants and toddlers with disabilities	GPR	A	4,759,200	4,759,200	
(c)	Independent living centers	GPR	A	1,221,000	1,283,500	
(ce)	Services for homeless individuals	GPR	A	45,000	45,000	
(cg)	Guardianship grant program	GPR	A	193,600	193,600	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(co)	Integrated service programs for children with severe disabilities	GPR	A	133,300	133,300
(d)	Telecommunication aid for the hearing impaired	GPR	A	80,000	80,000
(da)	Reimbursements to local units of government	GPR	S	400,000	400,000
(dh)	Programs for senior citizens; elder abuse services; benefit specialist pgm	GPR	A	10,161,100	10,161,100
(ed)	State supplement to federal supplemental security income program	GPR	S	128,281,600	128,281,600
(gg)	Collection remittances to local units of government	PR	C	100,000	100,000
(hy)	Services for drivers, local assistance	PR	A	1,000,000	1,000,000
(i)	Gifts and grants; local assistance	PR	C	–0–	–0–
(im)	Community options program; family care benefit; recovery of costs	PR	C	15,000	15,000
(kb)	Severely emotionally disturbed children	PR–S	C	1,242,300	1,242,300
(kc)	Independent living center grants	PR–S	A	300,000	300,000
(kd)	Rehabilitation teaching aids	PR–S	C	22,700	22,700
(kg)	Compulsive gambling awareness campaigns	PR–S	A	250,000	250,000
(kL)	Indian aids	PR–S	A	271,600	271,600
(km)	Indian drug abuse prevention and education	PR–S	A	500,000	500,000
(kw)	Interagency community aids	PR–S	A	31,800,000	18,086,200
(ky)	Interagency and intra–agency aids	PR–S	C	14,070,700	18,303,500
(kz)	Interagency and intra–agency local assistance	PR–S	C	2,500,900	2,500,900
(ma)	Federal project aids	PR–F	C	12,471,500	12,471,500
(mb)	Federal project local assistance	PR–F	C	–0–	–0–
(md)	Federal block grant aids	PR–F	C	5,906,700	7,392,700
(me)	Federal block grant local assistance	PR–F	C	10,728,700	10,728,700
(na)	Federal program aids	PR–F	C	22,687,700	22,687,700
(nL)	Federal program local assistance	PR–F	C	5,553,800	5,553,800
(o)	Federal aid; community aids	PR–F	C	88,538,900	84,555,100
	(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				451,390,600	467,040,300
PROGRAM REVENUE				197,960,500	185,981,700
FEDERAL				(145,887,300)	(143,389,500)
OTHER				(1,115,000)	(1,115,000)
SERVICE				(50,958,200)	(41,477,200)
TOTAL–ALL SOURCES				649,351,100	653,022,000
(8)	General administration				
(a)	General program operations	GPR	A	16,171,800	16,154,400
(i)	Gifts and grants	PR	C	422,400	422,400
(k)	Administrative and support services	PR–S	A	32,639,500	34,847,200
(kx)	Interagency and intra–agency programs	PR–S	C	209,700	214,400
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	7,000	7,000
(ma)	Federal project aids	PR–F	C	–0–	–0–
(mb)	Income augmentation services receipts	PR–F	C	313,300	1,435,200
(mc)	Federal block grant operations	PR–F	C	1,561,700	1,406,900
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	3,721,500	2,337,400
(pz)	Indirect cost reimbursements	PR–F	C	1,989,100	1,981,000
	(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				16,171,800	16,154,400
PROGRAM REVENUE				40,864,200	42,651,500
FEDERAL				(7,592,600)	(7,167,500)
OTHER				(422,400)	(422,400)
SERVICE				(32,849,200)	(35,061,600)
TOTAL–ALL SOURCES				57,036,000	58,805,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01	
20.435 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			1,696,796,600	1,743,176,500	
PROGRAM REVENUE			2,572,815,800	2,692,604,500	
FEDERAL			(2,191,031,300)	(2,303,988,900)	
OTHER			(190,925,200)	(202,871,700)	
SERVICE			(190,859,300)	(185,743,900)	
SEGREGATED FUNDS			50,804,500	50,804,500	
OTHER			(50,804,500)	(50,804,500)	
TOTAL–ALL SOURCES			4,320,416,900	4,486,585,500	
20.436 Tobacco control board					
(1) SMOKING CESSATION AND EDUCATION					
(g) Gifts and grants	PR	C	–0–	–0–	**Vetoed**
(tb) General program operations	SEG	B	400,000 200,000	400,000	**In Part**
(tc) Grants	SEG	C	2,092,000	23,100,000 20,808,000	**Vetoed In Part**
20.436 DEPARTMENT TOTALS					
PROGRAM REVENUE			–0–	–0–	
OTHER			(–0–)	(–0–)	
SEGREGATED FUNDS			2,492,000	23,500,000	
OTHER			(2,492,000)	(23,500,000)	
TOTAL–ALL SOURCES			2,492,000	23,500,000	
20.440 Health and educational facilities authority					
(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES					
(a) General program operations	GPR	C	–0–	–0–	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			–0–	–0–	
TOTAL–ALL SOURCES			–0–	–0–	
(2) RURAL HOSPITAL LOAN GUARANTEE					
(a) Rural assistance loan fund	GPR	C	–0–	–0–	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			–0–	–0–	
TOTAL–ALL SOURCES			–0–	–0–	
20.440 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			–0–	–0–	
TOTAL–ALL SOURCES			–0–	–0–	
20.445 Workforce development, department of					
(1) WORKFORCE DEVELOPMENT					
(a) General program operations	GPR	A	6,971,000	6,971,000	
(aa) Special death benefit	GPR	S	479,100	479,100	
(bc) Assistance for dislocated workers	GPR	A	–0–	–0–	
(cm) Wisconsin service corps member compensation and support	GPR	C	94,300	94,300	
(f) Death and disability benefit payments; public insurrections	GPR	S	–0–	–0–	
(fg) Employment transit aids, state funds	GPR	A	579,100	579,100	
(g) Gifts and grants	PR	C	–0–	100	
(ga) Auxiliary services	PR	C	586,500	586,500	
(gb) Local agreements	PR	C	5,793,900	5,418,300	
(gc) Unemployment administration	PR	C	–0–	–0–	
(gd) Unemployment interest and penalty payments	PR	C	246,000	246,000	
(ge) Unemployment reserve fund research	PR	A	263,700	251,500	
(gf) Employment security administration	PR	A	1,566,100	1,525,900	
(gg) Unemployment information technology systems; interest and penalties	PR	C	–0–	–0–	
(gh) Unemployment information technology systems; assessments	PR	C	1,000,700	1,400	
(ha) Worker's compensation operations	PR	A	9,495,500	9,561,300	
(hb) Worker's compensation contracts	PR	C	500,000	500,000	
(hp) Uninsured employers program; administration	PR	A	926,400	897,000	
(jm) Dislocated worker program grants	PR	C	–0–	–0–	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(jr)	Wisconsin service corps member compensation & support; sponsor contribution	PR	C	–0–	–0–
(ka)	Interagency and intra–agency agreements	PR–S	C	281,100	131,200
(kc)	Administrative services	PR–S	A	45,317,500	45,395,400
(km)	Wisconsin service corps member compensation and support; service funds	PR–S	C	–0–	–0–
(kr)	Employment transit aids, federal oil overcharge funds	PR–F	C	–0–	–0–
(L)	Childsupport – related fees	PR	C	–0–	–0–
(m)	Federal funds	PR–F	C	1,958,700	1,460,100
(ma)	Federal aid — program administration	PR–F	C	3,076,100	3,081,900
(mb)	Federal aid — employment and training local assistance	PR–F	C	1,186,900	1,149,700
(mc)	Federal aid — employment and training aids	PR–F	C	20,497,000	19,882,200
(n)	Unemployment administration; federal moneys	PR–F	C	81,860,400	76,060,700
(na)	Employment security buildings and equipment	PR–F	C	99,300	99,300
(nb)	Unemployment information technology systems; federal moneys	PR–F	C	–0–	–0–
(ox)	Employment transit aids, federal funds	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	234,000	234,000
(s)	Self–insured employers liability fund	SEG	C	–0–	–0–
(sm)	Uninsured employers fund; payments	SEG	S	1,200,000	1,200,000
(t)	Work injury supplemental benefit fund	SEG	C	2,500,000	2,500,000
	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				8,123,500	8,123,500
PROGRAM REVENUE				174,889,800	166,482,500
	FEDERAL			(108,912,400)	(101,967,900)
	OTHER			(20,378,800)	(18,988,000)
	SERVICE			(45,598,600)	(45,526,600)
SEGREGATED FUNDS				3,700,000	3,700,000
	OTHER			(3,700,000)	(3,700,000)
TOTAL–ALL SOURCES				186,713,300	178,306,000
(2)	REVIEW COMMISSION				
(a)	General program operations, review commission	GPR	A	186,500	186,500
(ha)	Worker's compensation operations	PR	A	582,500	551,900
(m)	Federal moneys	PR–F	C	121,600	115,200
(n)	Unemployment administration; federal moneys	PR–F	C	1,579,900	1,501,600
	(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				186,500	186,500
PROGRAM REVENUE				2,284,000	2,168,700
	FEDERAL			(1,701,500)	(1,616,800)
	OTHER			(582,500)	(551,900)
TOTAL–ALL SOURCES				2,470,500	2,355,200
(3)	ECONOMIC SUPPORT				
(a)	General program operations	GPR	A	29,053,000	28,876,000
(br)	Public assistance reform studies	GPR	C	525,300	525,300
(cm)	Wisconsin works child care	GPR	A	16,449,400	16,449,400
(cr)	State supplement to employment opportunity demonstration projects	GPR	A	250,000	250,000
(dc)	Emergency assistance program	GPR	A	1,659,700	1,659,700
(dz)	Wisconsin works and other public assistance administration and benefits	GPR	A	187,269,600	160,175,400
(e)	Job access loans	GPR	B	450,000	450,000
(em)	Employment skills advancement program	GPR	A	50,000	50,000
(i)	Gifts and grants	PR	C	15,900	15,900
(ja)	Child support state operations–fees	PR	C	8,135,700	7,235,700

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(jb)	Fees for administrative services	PR	C	483,700	485,800
(jL)	Job access loan repayments	PR	C	83,300	83,300
(k)	Child support transfers	PR–S	C	43,649,200	44,319,000
(kp)	Delinquent support and maintenace payments	PR–S	C	–0–	–0–
(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	891,400	891,400
(Lm)	Welfare fraud and error reduction; local assistance	PR	C	1,469,800	1,469,800
(m)	Federal project operations	PR–F	C	4,951,000	4,951,000
(ma)	Federal project aids	PR–F	C	330,000	330,000
(mb)	Federal project local assistance	PR–F	C	–0–	–0–
(mc)	Federal block grant operations	PR–F	A	35,165,100	34,723,700
(md)	Federal block grant aids	PR–F	A	601,572,700	261,913,800
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	40,554,900	40,372,600
(na)	Federal program aids	PR–F	C	4,000,000	4,000,000
(nL)	Federal program local assistance	PR–F	C	64,010,300	61,251,900
(pm)	Food stamp employment and training program; administration	PR–F	C	403,500	403,600
(ps)	Food stamp employment and training program; aids	PR–F	C	7,510,600	7,510,600
(pv)	Food stamps; electronic benefit transfer	PR–F	C	–0–	–0–
(pz)	Income augmentation services receipts	PR–F	C	–0–	–0–
(q)	Centralized support receipt and disbursement; interest	SEG	S	852,500	852,500
(r)	Support receipt and disbursement program; payments	SEG	C	–0–	–0–
	(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				235,707,000	208,435,800
PROGRAM REVENUE				834,098,800	490,829,900
	FEDERAL			(758,498,100)	(415,457,200)
	OTHER			(11,079,800)	(10,181,900)
	SERVICE			(64,520,900)	(65,190,800)
SEGREGATED FUNDS				852,500	852,500
	OTHER			(852,500)	(852,500)
TOTAL–ALL SOURCES				1,070,658,300	700,118,200
(4)	Adjudication of claims				
(a)	Administration of mining damage claims	GPR	A	–0–	–0–
(b)	Funding for mining damage claims	GPR	S	–0–	–0–
	(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				–0–	–0–
TOTAL–ALL SOURCES				–0–	–0–
(5)	Vocational rehabilitation services				
(a)	General program operations	GPR	A	5,178,700	5,178,700
(bm)	Purchased services for clients	GPR	A	5,354,500	5,354,500
(gg)	Contractual services	PR	C	29,100	29,100
(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

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(n)	Federal program operations	PR–F	C	21,356,200	21,411,100
(na)	Federal program aids	PR–F	C	28,834,300	28,834,300
(nL)	Federal program local assistance	PR–F	C	–0–	–0–
	(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				10,533,200	10,533,200
PROGRAM REVENUE				54,607,500	54,781,000
FEDERAL				(51,327,900)	(51,407,800)
OTHER				(1,980,200)	(1,980,200)
SERVICE				(1,299,400)	(1,393,000)
TOTAL–ALL SOURCES				65,140,700	65,314,200
(6)	Wisconsin conservation corps				
(b)	General enrollee operations	GPR	B	1,225,600	1,225,600
(bm)	General enrollee operations supplement	GPR	B	281,100	281,100
(c)	Administrative support; general program operations	GPR	A	230,700	233,100
(j)	General enrollee operations; sponsor contribution	PR	C	–0–	–0–
(ja)	Administrative support; sponsor contribution	PR	C	–0–	–0–
(jb)	Gifts and related support	PR	C	–0–	–0–
(k)	General enrollee operations; service funds	PR–S	C	455,900	455,900
(kb)	Administrative support; service funds	PR–S	C	46,800	44,500
(m)	General enrollee operations; federal funds	PR–F	C	–0–	–0–
(n)	Administrative support; federal funds	PR–F	C	–0–	–0–
(u)	General enrollee operations; conservation fund	SEG	B	2,889,500	2,996,600
(w)	General enrollee operations; environmental fund	SEG	B	76,700	76,700
(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	3,150,000	3,150,000
(ef)	School–to–work programs for children at risk	GPR	A	300,000	300,000
(em)	Youth apprenticeship training grants	GPR	A	–0–	–0–
(kb)	Funds transferred from the technical college system board; school–to–work	PR–S	C	2,277,300	2,277,300
(kc)	Transfer of public assistance funds; work–based learning programs	PR–S	C	2,969,700	6,084,500
(kd)	Grants to tribal colleges	PR	A	600,000	600,000
(kx)	Interagency and intra–agency programs	PR–S	C	103,800	106,100
	(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				4,138,400	4,138,400
PROGRAM REVENUE				5,950,800	9,067,900
OTHER				(600,000)	(600,000)
SERVICE				(5,350,800)	(8,467,900)
TOTAL–ALL SOURCES				10,089,200	13,206,300
	20.445 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES				260,426,000	233,157,200
PROGRAM REVENUE				1,072,333,600	723,830,400
FEDERAL				(920,439,900)	(570,449,700)
OTHER				(34,621,300)	(32,302,000)

Vetoed In Part

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
SERVICE			(117,272,400)	(121,078,700)	
SEGREGATED FUNDS			8,126,600	8,238,400	
OTHER			(8,126,600)	(8,238,400)	
TOTAL–ALL SOURCES			1,340,886,200	965,226,000	
20.455 Justice, department of					
(1) LEGAL SERVICES					
(a) General program operations	GPR	A	12,664,600	12,683,200	
(b) Special counsel	GPR	S	1,100,000	1,100,000	
(d) Legal expenses	GPR	B	931,400	931,400	
(gh) Investigations and prosecution	PR	A	–0–	–0–	
(gs) Delinquent obligation collection	PR	A	66,300	66,300	
(hm) Restitution	PR	C	–0–	–0–	
(k) Environment litigation project	PR–S	C	352,600	352,700	
(km) Interagency and intra–agency assistance	PR–S	A	393,100	393,100	
(kt) Telecommunications positions	PR	C	119,200	119,200	**Vetoed In Part**
(m) Federal aid	PR–F	C	609,500	606,000	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			14,696,000	14,714,600	
PROGRAM REVENUE			1,540,700	1,537,300	
FEDERAL			(609,500)	(606,000)	
OTHER			(185,500)	(185,500)	
SERVICE			(745,700)	(745,800)	
TOTAL–ALL SOURCES			16,236,700	16,251,900	
(2) LAW ENFORCEMENT SERVICES					
(a) General program operations	GPR	A	13,073,000 13,040,900	13,151,800 13,087,600	**Vetoed In Part**
(am) Officer training reimbursement	GPR	S	50,000	50,000	
(b) Investigations and operations	GPR	A	–0–	–0–	
(c) Crime laboratory equipment	GPR	B	–0–	–0–	
(cm) Computers for transaction information for management of enforcement system	GPR	A	1,062,800	1,062,800	
(dg) Weed and seed and law enforcement technology	GPR	A	500,000	500,000	
(dq) Law enforcement community policing grants	GPR	B	–0–	–0–	
(e) Drug enforcement	GPR	A	–0–	–0–	
(fm) Gaming law enforcement	GPR	A	226,000	226,700	**Vetoed In Part**
(g) Gaming law enforcement; racing revenues	PR	A	97,600	97,800	
(gc) Gaming law enforcement; Indian gaming	PR	A	76,800	77,200	
(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	
(i) Penalty assessment surcharge, receipts	PR	A	–0–	–0–	
(j) Law enforcement training fund, local assistance	PR	A	3,635,500	3,715,500	
(ja) Law enforcement training fund, state operations	PR	A	2,903,800 2,515,700	2,915,100 2,570,000	**Vetoed In Part**
(jb) Crime laboratory equipment and supplies	PR	A	377,300	377,300	
(k) Interagency and intra–agency assistance; investigations	PR–S	C	1,423,800	747,000	
(kd) Drug law enforcement and crime laboratories	PR–S	A	2,031,300	2,037,300	
(ke) Drug enforcement intelligence operations	PR–S	A	1,265,700	1,266,600	
(kg) Interagency and intra–agency assistance; fingerprint identification	PR–S	A	–0–	–0–	
(km) Lottery background investigations	PR–S	A	–0–	–0–	
(kt) County–tribal programs, local assistance	PR–S	A	708,400	708,400	
(ku) County–tribal programs, state operations	PR–S	A	50,500	50,500	
(Lm) Crime laboratories; deoxyribonucleic acid analysis	PR	C	899,900	1,280,800	
(m) Federal aid, state operations	PR–F	C	655,700	655,700	
(ma) Federal aid, drug enforcement	PR–F	C	–0–	–0–	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01
(n)	Federal aid, local assistance	PR–F	C	–0–	–0–
(r)	Gaming law enforcement; lottery revenues	SEG	A	–0–	–0–
	(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				14,911,800	14,991,300
PROGRAM REVENUE				19,928,900	19,817,900
FEDERAL				(655,700)	(655,700)
OTHER				(13,793,500)	(14,352,400)
SERVICE				(5,479,700)	(4,809,800)
SEGREGATED FUNDS				–0–	–0–
OTHER				(–0–)	(–0–)
TOTAL–ALL SOURCES				34,840,700	34,809,200
(3)	ADMINISTRATIVE SERVICES				
(a)	General program operations	GPR	A	4,080,700	4,080,700
(g)	Gifts, grants and proceeds	PR	C	89,900	89,900
(k)	Interagency and intra–agency assistance	PR–S	A	–0–	–0–
(m)	Federal aid, state operations	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	80,600	80,600
	(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				4,080,700	4,080,700
PROGRAM REVENUE				170,500	170,500
FEDERAL				(80,600)	(80,600)
OTHER				(89,900)	(89,900)
SERVICE				(–0–)	(–0–)
TOTAL–ALL SOURCES				4,251,200	4,251,200
(5)	VICTIMS AND WITNESSES				
(a)	General program operations	GPR	A	866,000	869,900
(b)	Awards for victims of crimes	GPR	A	1,324,200	1,324,200
(c)	Reimbursement for victim and witness services	GPR	A	1,497,100	1,497,100
(g)	Crime victim and witness assistance surcharge, general services	PR	A	2,080,900	2,152,300
(gc)	Crime victim and witness surcharge, sexual assault victim services	PR	C	1,500,000	2,000,000
(h)	Crime victim compensation services	PR	A	38,900	38,900
(i)	Victim compensation, inmate payments	PR	C	–0–	–0–
(k)	Interagency and intra–agency assistance; reimbursement to counties	PR–S	A	961,700	961,700
(kj)	Victim payments, victim surcharge	PR–S	A	488,800	488,800
(kk)	Reimbursement to counties for providing victim and witness services	PR–S	C	–0–	–0–
(kp)	Reimbursement to counties for victim–witness services	PR–S	A	660,800	773,000
(m)	Federal aid; victim compensation	PR–F	C	643,900	643,900
(ma)	Federal aid, state operations	PR–F	C	92,700	123,600
(mh)	Federal aid; victim assistance	PR–F	C	4,642,100	4,020,700
	(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				37,375,800	37,477,800
PROGRAM REVENUE				32,749,900	32,728,600
FEDERAL				(6,724,500)	(6,130,500)
OTHER				(17,688,700)	(18,819,000)
SERVICE				(8,336,700)	(7,779,100)
SEGREGATED FUNDS				–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			70,125,700	70,206,400
20.465 Military affairs, department of				
(1) NATIONAL GUARD OPERATIONS				
(a) General program operations	GPR	A	4,689,600	4,694,800
(b) Repair and maintenance	GPR	A	650,400	650,400
(c) Public emergencies	GPR	S	48,500	48,500
(d) Principal repayment and interest	GPR	S	3,092,900	2,977,100
(e) State service flags	GPR	A	400	400
(f) Energy costs	GPR	A	1,518,800	1,518,800
(g) Military property	PR	A	396,600	396,600
(h) Intergovernmental services	PR	A	194,900	194,900
(k) Armory store operations	PR–S	A	237,600	237,600
(km) Agency services	PR–S	A	68,300	68,300
(Li) Gifts and grants	PR	C	–0–	–0–
(m) Federal aid	PR–F	C	16,474,500	16,474,500
(pz) Indirect cost reimbursements	PR–F	C	454,200	454,200
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			10,000,600	9,890,000
PROGRAM REVENUE			17,826,100	17,826,100
FEDERAL			(16,928,700)	(16,928,700)
OTHER			(591,500)	(591,500)
SERVICE			(305,900)	(305,900)
TOTAL–ALL SOURCES			27,826,700	27,716,100
(2) GUARD MEMBERS' BENEFITS				
(a) Tuition grants	GPR	B	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
(3) EMERGENCY MANAGEMENT SERVICES				
(a) General program operations	GPR	A	667,000	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	1,035,100	888,100
(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	744,300	765,200
(j) Division of emergency management; gifts and grants	PR	C	–0–	–0–
(jm) Division of emergency management; emergency planning grants	PR	C	834,700	834,700
(jt) Regional emergency response reimbursement	PR	C	–0–	–0–
(m) Federal aid, state operations	PR–F	C	1,300,600	1,269,800
(n) Federal aid, local assistance	PR–F	C	7,387,000	7,387,000
(o) Federal aid, individuals and organizations	PR–F	C	1,348,600	1,348,600
(r) Division of emergency management; petroleum inspection fund	SEG	A	465,700	465,700
(t) Emergency response training – environmental fund	SEG	B	1,700	10,500
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,172,500	3,738,100
PROGRAM REVENUE			12,665,900	12,649,000
FEDERAL			(10,036,200)	(10,005,400)
OTHER			(2,629,700)	(2,643,600)

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
SEGREGATED FUNDS			467,400	476,200	
OTHER			(467,400)	(476,200)	
TOTAL–ALL SOURCES			17,305,800	16,863,300	
(4) NATIONAL GUARD YOUTH PROGRAMS					
(b) Badger challenge program	GPR	A	299,400	249,500	
(c) Youth challenge program	GPR	A	843,700	983,700	
(g) Program fees	PR	C	–0–	–0–	
(h) Gifts, grants and contributions	PR	C	–0–	–0–	
(k) Interagency assistance; badger challenge program	PR–S	C	33,300	83,200	
(m) Federal aid – youth programs	PR–F	C	1,971,000	1,831,000	
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,143,100	1,233,200	
PROGRAM REVENUE			2,004,300	1,914,200	
FEDERAL			(1,971,000)	(1,831,000)	
OTHER			(–0–)	(–0–)	
SERVICE			(33,300)	(83,200)	
TOTAL–ALL SOURCES			3,147,400	3,147,400	
20.465 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			18,905,600	18,450,700	
PROGRAM REVENUE			32,496,300	32,389,300	
FEDERAL			(28,935,900)	(28,765,100)	
OTHER			(3,221,200)	(3,235,100)	
SERVICE			(339,200)	(389,100)	
SEGREGATED FUNDS			467,400	476,200	
OTHER			(467,400)	(476,200)	
TOTAL–ALL SOURCES			51,869,300	51,316,200	
20.475 District attorneys					
(1) DISTRICT ATTORNEYS					
(d) Salaries and fringe benefits	GPR	A	33,451,500 32,819,700	33,744,700 32,921,200	**Vetoed In Part**
(f) Firearm prosecution costs; firearm law media campaign	GPR	A	153,300	124,400	
(h) Gifts and grants	PR	C	1,163,000	1,163,000	
(i) Other employes	PR	A	169,600	174,700	
(k) Interagency and intra–agency assistance	PR–S	C	96,400	–0–	
(m) Federal aid	PR–F	C	–0–	–0–	
20.475 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			33,604,800	33,869,100	
PROGRAM REVENUE			1,429,000	1,337,700	
FEDERAL			(–0–)	(–0–)	
OTHER			(1,332,600)	(1,337,700)	
SERVICE			(96,400)	(–0–)	
TOTAL–ALL SOURCES			35,033,800	35,206,800	
20.485 Veterans affairs, department of					
(1) HOMES FOR VETERANS					
(b) General fund supplement to institutional operations	GPR	B	–0–	–0–	
(d) Cemetery maintenance and beautification	GPR	A	24,900	24,900	
(e) Lease rental payments	GPR	S	–0–	–0–	
(f) Principal repayment and interest	GPR	S	1,551,000	1,526,000	
(g) Home exchange	PR	A	236,900	248,800	
(gd) Veterans home cemetery operations	PR	C	4,500	4,500	
(gk) Institutional operations	PR	A	36,170,600	37,277,100	
(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	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(m)	Federal aid; care at veterans home	PR–F	C	–0–	–0–	
(mj)	Federal aid; geriatric unit	PR–F	C	–0–	–0–	
(mn)	Federal projects	PR–F	C	12,500	12,500	
(t)	Veterans home member accounts	SEG	C	–0–	–0–	
(u)	Rentals; improvements; equipment; land acquisition	SEG	A	–0–	–0–	
	(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				1,575,900	1,550,900	
PROGRAM REVENUE				36,817,300	37,992,400	
FEDERAL				(12,500)	(12,500)	
OTHER				(36,804,800)	(37,979,900)	
SEGREGATED FUNDS				–0–	–0–	
OTHER				(–0–)	(–0–)	
TOTAL–ALL SOURCES				38,393,200	39,543,300	
(2)	Loans and aids to veterans					
(b)	Wisconsin veterans museum space rental	GPR	A	411,700	471,100	
(c)	Operation of Wisconsin veterans museum	GPR	A	765,000	608,300	
(d)	Veterans memorials at The Highground	GPR	C	–0–	–0–	
(db)	General fund supplement to veterans trust fund	GPR	A	–0–	–0–	
(dm)	World War II memorial	GPR	C	166,100	–0–	
(e)	Veterans memorial grants	GPR	C	–0–	–0–	
(em)	Payments related to The Highground	GPR	C	–0–	–0–	
(g)	Consumer reporting agency fees	PR	C	–0–	–0–	
(gd)	Gifts	PR	C	–0–	–0–	
(kg)	American Indian services coordinator	PR–S	A	51,900	58,000	
(km)	American Indian grants	PR–S	A	27,500 15,000	27,500 10,000	**Vetoed In Part**
(m)	Federal aid projects	PR–F	C	187,000	183,000	
(mn)	Federal projects; museum acquisitions and operations	PR–F	C	–0–	–0–	
(rm)	Veterans assistance program	SEG	B	1,365,700	1,454,300	
(rp)	Veterans assistance program receipts	SEG	A	80,000	80,000	
(tf)	Veterans' tuition and fee reimbursement program	SEG	A	1,477,500	1,551,400	
(th)	Correspondence courses and part–time classroom study	SEG	A	395,900	415,600	
(tj)	Retraining grant program	SEG	A	288,000	288,000	
(tm)	Facilities	SEG	C	–0–	–0–	
(u)	Administration of loans and aids to veterans	SEG	A	3,344,200	3,027,300	
(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	299,200	296,000	
(w)	Home for needy veterans	SEG	C	10,000	10,000	
(wd)	Operation of Wisconsin veterans museum	SEG	A	292,500	300,000	
(x)	Federal per diem payments	SEG–F	A	304,900	295,000	
(yg)	Acquisition of 1981 revenue bond mortgages	SEG	S	–0–	–0–	
(yn)	Veterans trust fund loans and expenses	SEG	B	15,450,000	15,450,000	
(yo)	Debt payment	SEG	S	177,000	1,263,300	
(z)	Gifts	SEG	C	–0–	–0–	
(zm)	Museum gifts and bequests	SEG	C	–0–	–0–	
	(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				1,342,800	1,079,400	
PROGRAM REVENUE				266,400	268,500	
FEDERAL				(187,000)	(183,000)	
OTHER				(–0–)	(–0–)	
SERVICE				(79,400)	(85,500)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SEGREGATED FUNDS			25,192,600	26,163,200
FEDERAL			(304,900)	(295,000)
OTHER			(24,887,700)	(25,868,200)
TOTAL–ALL SOURCES			26,801,800	27,511,100
(3) SELF–AMORTIZING MORTGAGE LOANS FOR VETERANS				
(b) Self insurance	GPR	S	–0–	–0–
(e) General program deficiency	GPR	S	–0–	–0–
(q) Foreclosure loss payments	SEG	C	801,000	801,000
(r) Funded reserves	SEG	C	50,000	50,000
(rm) Other reserves	SEG	C	–0–	–0–
(s) General program operations	SEG	A	4,526,400	4,218,900
(sm) County grants	SEG	A	448,800	444,000
(t) Debt service	SEG	C	71,080,000	76,633,900
(v) Revenue obligation repayment	SEG	C	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
SEGREGATED FUNDS			76,906,200	82,147,800
OTHER			(76,906,200)	(82,147,800)
TOTAL–ALL SOURCES			76,906,200	82,147,800
(4) VETERANS MEMORIAL CEMETERIES				
(g) Cemetery operations	PR	A	84,400	87,700
(h) Gifts, grants and bequests	PR	C	–0–	–0–
(m) Federal aid; cemetery operations and burials	PR–F	C	26,700	44,900
(q) Cemetery administration and maintenance	SEG	A	699,600	553,300
(qm) Repayment of principal and interest	SEG	S	10,800	10,700
(r) Cemetery energy costs	SEG	A	11,800	21,800
(4) PROGRAM TOTALS				
PROGRAM REVENUE			111,100	132,600
FEDERAL			(26,700)	(44,900)
OTHER			(84,400)	(87,700)
SEGREGATED FUNDS			722,200	585,800
OTHER			(722,200)	(585,800)
TOTAL–ALL SOURCES			833,300	718,400
(5) EDUCATIONAL APPROVAL BOARD				
(g) Proprietary school programs	PR–S	A	366,300	368,300
(m) Federal aid	PR–F	C	263,000	265,000
(5) PROGRAM TOTALS				
PROGRAM REVENUE			629,300	633,300
FEDERAL			(263,000)	(265,000)
SERVICE			(366,300)	(368,300)
TOTAL–ALL SOURCES			629,300	633,300
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,918,700	2,630,300
PROGRAM REVENUE			37,824,100	39,026,800
FEDERAL			(489,200)	(505,400)
OTHER			(36,889,200)	(38,067,600)
SERVICE			(445,700)	(453,800)
SEGREGATED FUNDS			102,821,000	108,896,800
FEDERAL			(304,900)	(295,000)
OTHER			(102,516,100)	(108,601,800)
TOTAL–ALL SOURCES			143,563,800	150,553,900
20.490 Wisconsin housing and economic development authority				
(1) FACILITATION OF CONSTRUCTION				
(a) Capital reserve fund deficiency	GPR	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(2) HOUSING REHABILITATION LOAN PROGRAM				
(a) General program operations	GPR	C	–0–	–0–
(q) Loan loss reserve fund	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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–
(q) Recycling fund transfer to Wisconsin development reserve fund	SEG	C	–0–	–0–
(r) Agrichemical management fund transfer to Wisconsin development reserve fd.	SEG	C	–0–	–0–
(s) Petroleum inspection fund transfer to WDRF	SEG	A	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(6) WISCONSIN JOB TRAINING LOAN GUARANTEES				
(a) Wisconsin job training reserve fund	GPR	S	–0–	–0–
(k) Department of commerce appropriation transfer to Wisconsin job training	PR–S	C	–0–	–0–
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.495 University of Wisconsin hospitals and clinics board				
(1) CONTRACTUAL SERVICES				
(g) General program operations	PR	C	61,962,900	64,427,400
20.495 DEPARTMENT TOTALS				
PROGRAM REVENUE			61,962,900	64,427,400
OTHER			(61,962,900)	(64,427,400)
TOTAL–ALL SOURCES			61,962,900	64,427,400
Human Relations and Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			2,727,949,700	2,780,770,400
PROGRAM REVENUE			3,953,725,800	3,731,929,800
FEDERAL			(3,150,669,200)	(2,912,888,000)
OTHER			(435,374,200)	(451,539,000)
SERVICE			(367,682,400)	(367,502,800)
SEGREGATED FUNDS			165,241,500	192,445,900
FEDERAL			(304,900)	(295,000)
OTHER			(164,936,600)	(192,150,900)
SERVICE			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999–00	2000–01	
LOCAL				(–0–)	(–0–)	
TOTAL–ALL SOURCES				6,846,917,000	6,705,146,100	

General Executive Functions

20.505 Administration, department of

(1)	SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD					
(a)	General program operations	GPR	A	9,345,400	9,095,400	
(b)	Midwest interstate low–level radioactive waste compact; loan from gen. fund	GPR	C	–0–	–0–	
(cm)	Comprehensive planning grants	GPR	A	–0–	1,500,000	
(cn)	Comprehensive planning; administrative support	GPR	A	12,500	50,000	
(e)	Census education assistance	GPR	B	600,000	–0–	
(f)	Badger state games assistance	GPR	A	50,000	50,000	
(fo)	Federal resource acquisition support grants	GPR	A	100,000	–0–	
(g)	Midwest interstate low–level radioactive waste compact; membership & costs	PR	A	60,700	60,700	
(ge)	High–voltage transmission line annual impact fee distributions	PR	C	–0–	–0–	
(gs)	High–voltage transmission line environmental impact fee distributions	PR	C	–0–	–0–	
(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	1,384,000	1,384,000	
(ik)	Land information board; soil surveys and mapping	PR	A	415,000	415,000	
(im)	Services to nonstate governmental units	PR	A	1,339,800	1,339,800	
(is)	Information technology processing svcs to nonstate entities & state schools	PR	C	–0–	–0–	
(iu)	Plat review	PR	C	347,900	347,900	
(j)	Gifts and donations	PR	C	–0–	–0–	
(ja)	Justice information systems	PR	A	3,919,700	1,300,000	
(ka)	Materials and services to state agencies and certain districts	PR–S	A	5,097,800	5,097,800	
(kb)	Transportation services	PR–S	A	15,679,400	16,062,200	
(kc)	Capital planning and building construction services	PR–S	A	10,457,400	10,515,600	
(kd)	Printing, document sales, mail distribution and record services	PR–S	A	18,471,400	19,001,200	
(ke)	Telecommunications and data processing services	PR–S	A	37,170,000	37,170,000	
(kj)	Financial services	PR–S	A	9,994,700	9,228,500	
(kL)	Information technology processing services to agencies	PR–S	C	49,158,200	49,158,200	
(kp)	Interagency assistance; justice information systems	PR–S	A	729,800	2,024,100	
(kq)	Justice information systems development, operation and maintenance	PR–S	A	–0–	1,200,000	
(kr)	Information technology development and management services	PR–S	A	–0–	–0–	
(ks)	Wisconsin land council; state agency support	PR–S	C	311,400	311,400	
(kt)	Land information board; soil surveys and mapping; state agency support	PR–S	C	265,200	265,200	**Vetoed In Part**
(ku)	Management assistance grants to counties	PR–S	A	–0–	–0–	
(kw)	Grant to heritage military music foundation	PR–S	A	85,300	–0–	**Vetoed In Part**
(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–	

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(pz)	Indirect cost reimbursements	PR–F	C	161,400	161,400
(r)	VendorNet fund administration	SEG	A	90,200	90,200
(s)	Wisconsin sesquicentennial commission; payment of obligations	SEG	C	–0–	–0–
(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)	Transportation planning grants to local governmental units	SEG–S	A	1,000,000	1,000,000
	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				10,107,900	10,695,400
PROGRAM REVENUE				164,488,000	164,481,900
FEDERAL				(9,215,900)	(9,215,900)
OTHER				(7,851,500)	(5,231,800)
SERVICE				(147,420,600)	(150,034,200)
SEGREGATED FUNDS				1,843,500	1,843,500
FEDERAL				(–0–)	(–0–)
OTHER				(843,500)	(843,500)
SERVICE				(1,000,000)	(1,000,000)
TOTAL–ALL SOURCES				176,439,400	177,020,800
(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	87,300	87,300
(c)	Criminal penalties study committee	GPR	B	–0–	–0–
(g)	Gifts and grants	PR	C	–0–	–0–
(h)	Program fees	PR	A	6,100	6,100
(m)	Federal aid	PR–F	C	–0–	–0–
	(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				447,100	447,100
PROGRAM REVENUE				6,100	6,100
FEDERAL				(–0–)	(–0–)
OTHER				(6,100)	(6,100)
TOTAL–ALL SOURCES				453,200	453,200
(4)	Attached divisions, boards, councils and commissions				
(a)	Adjudication of tax appeals	GPR	A	586,300	593,000
(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
(e)	Technical college capacity building program	GPR	A	–0–	5,000,000
(f)	Hearings and appeals operations	GPR	A	2,017,500	2,037,700
(fm)	National community service board; Wisconsin promise challenge grants	GPR	C	–0–	–0–
(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
(j)	National and community service board; gifts and grants	PR	C	–0–	–0–

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(k)	Waste facility siting board; general program operations	PR–S	A	121,600	121,600
(ka)	State use board — general program operations	PR–S	A	140,500	140,500
(kp)	Hearings and appeals fees	PR–S	A	1,923,500	1,937,200
(o)	National and community service board; federal aid for administration	PR–F	A	194,600	194,600
(p)	National and community service board; federal aid for grants	PR–F	C	2,074,500	2,074,500
(r)	State capitol and executive residence board; gifts and grants	SEG	C	–0–	–0–
	(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				2,675,400	7,702,300
PROGRAM REVENUE				9,487,900	9,501,600
FEDERAL				(2,269,100)	(2,269,100)
OTHER				(5,033,200)	(5,033,200)
SERVICE				(2,185,600)	(2,199,300)
SEGREGATED FUNDS				–0–	–0–
OTHER				(–0–)	(–0–)
TOTAL–ALL SOURCES				12,163,300	17,203,900
(5)	FACILITIES MANAGEMENT				
(c)	Principal repayment and interest; Black Point Estate	GPR	S	21,700	135,100
(g)	Principal repayment, interest and rebates; parking	PR–S	S	1,251,800	1,255,200
(h)	Lease payments for educational broadcasting facilities	PR	C	–0–	–0–
(i)	Emergency weather warning system operation	PR	A	–0–	–0–
(ka)	Facility operations and maintenance; police and protection functions	PR–S	A	29,894,200	30,153,000
(kb)	Parking	PR	A	706,900	714,900
(kc)	Principal repayment, interest and rebates	PR–S	C	9,509,600	9,122,500
(q)	Energy efficiency	SEG	S	–0–	–0–
	(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES				21,700	135,100
PROGRAM REVENUE				41,362,500	41,245,600
OTHER				(706,900)	(714,900)
SERVICE				(40,655,600)	(40,530,700)
SEGREGATED FUNDS				–0–	–0–
OTHER				(–0–)	(–0–)
TOTAL–ALL SOURCES				41,384,200	41,380,700
(6)	OFFICE OF JUSTICE ASSISTANCE				
(a)	General program operations	GPR	A	330,300	334,200
(c)	Law enforcement officer supplement grants	GPR	A	1,000,000	1,000,000
(i)	Gifts and grants	PR	C	–0–	–0–
(j)	Penalty assessment surcharge receipts	PR	C	–0–	–0–
(k)	Anti–drug enforcement program — administration	PR–S	A	135,600	135,600
(kp)	Anti–drug enforcement program, penalty assessment – local	PR–S	A	1,183,100	1,184,200
(kq)	County law enforcement services	PR	A	250,000	250,000
(ks)	Tribal law enforcement assistance	PR–S	A	650,000	1,050,000
(kt)	Anti–drug enforcement program, penalty assessment – state	PR–S	A	996,900	1,294,200
(m)	Federal aid, planning and administration, state operations	PR–F	C	350,700	352,800
(o)	Federal aid, criminal justice improvement projects, state operations	PR–F	C	4,037,200	2,608,700
(p)	Federal aid, criminal justice improvement projects, local assistance	PR–F	C	3,357,100	2,834,600
(pa)	Federal aid, criminal justice improvement projects, aid to organizations	PR–F	C	1,429,500	1,458,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(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			1,330,300	1,334,200
PROGRAM REVENUE			21,869,600	21,540,700
FEDERAL			(18,654,000)	(17,626,700)
OTHER			(250,000)	(250,000)
SERVICE			(2,965,600)	(3,664,000)
TOTAL–ALL SOURCES			23,199,900	22,874,900
(7) HOUSING ASSISTANCE				
(a) General program operations	GPR	A	922,900	922,900
(b) Housing grants and loans	GPR	B	2,800,300	2,800,300
(c) Payments to designated agents	GPR	A	–0–	–0–
(d) Grants to local housing organizations	GPR	B	500,000	500,000
(dm) Transitional housing grants	GPR	A	375,000	375,000
(fm) Shelter for homeless and transitional housing	GPR	A	1,131,000	1,131,000
(g) Gifts and grants	PR	C	–0–	–0–
(gm) Funding for the homeless	PR	C	–0–	–0–
(h) Interest on real estate trust accounts	PR	C	–0–	–0–
(jf) Mobile home parks, dealers and salespersons	PR	A	142,300	–0–
(k) Sale of materials or services	PR–S	C	–0–	–0–
(kg) Housing program services	PR–S	C	6,702,600	6,702,600
(km) Weatherization assistance	PR–S	C	10,000,000	10,000,000
(m) Federal aid; state operations	PR–F	C	4,111,500	4,111,500
(n) Federal aid; local assistance	PR–F	C	1,777,000	1,777,000
(o) Federal aid; individuals and organizations	PR–F	C	72,269,300	72,269,300
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			5,729,200	5,729,200
PROGRAM REVENUE			95,002,700	94,860,400
FEDERAL			(78,157,800)	(78,157,800)
OTHER			(142,300)	(–0–)
SERVICE			(16,702,600)	(16,702,600)
TOTAL–ALL SOURCES			100,731,900	100,589,600
(8) DIVISION OF GAMING				
(g) General program operations; racing	PR	A	2,141,200	2,141,200
(h) General program operations; Indian gaming	PR	A	2,080,200	1,320,700
(hm) Indian gaming receipts	PR	C	–0–	–0–
(i) County fair association grants	PR	C	50,000	50,000
(j) General program operations; raffles and crane games	PR	A	172,000	172,000
(jm) General program operations; bingo	PR	A	247,400	247,400
(8) PROGRAM TOTALS				
PROGRAM REVENUE			4,690,800	3,931,300
OTHER			(4,690,800)	(3,931,300)
TOTAL–ALL SOURCES			4,690,800	3,931,300
(0) UTILITY PUBLIC BENEFITS				
(q) General program operations	SEG	A	–0–	–0–
(r) Low–income assistance grants	SEG	S	10,250,000	20,500,000
(s) Energy conservation and efficiency and renewable resource grants	SEG	S	8,250,000	16,500,000
(0) PROGRAM TOTALS				
SEGREGATED FUNDS			18,500,000	37,000,000
OTHER			(18,500,000)	(37,000,000)
TOTAL–ALL SOURCES			18,500,000	37,000,000
(1) AIR QUALITY IMPROVEMENT PROGRAM				
(r) Air quality improvement grants	SEG	S	–0–	–0–
(1) PROGRAM TOTALS				
SEGREGATED FUNDS			–0–	–0–

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
OTHER			(–0–)	(–0–)	
TOTAL–ALL SOURCES			–0–	–0–	
20.505 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			20,311,600	26,043,300	
PROGRAM REVENUE			361,435,100	360,595,100	
FEDERAL			(108,296,800)	(107,269,500)	
OTHER			(18,680,800)	(15,167,300)	
SERVICE			(234,457,500)	(238,158,300)	
SEGREGATED FUNDS			20,343,500	38,843,500	
FEDERAL			(–0–)	(–0–)	
OTHER			(19,343,500)	(37,843,500)	
SERVICE			(1,000,000)	(1,000,000)	
TOTAL–ALL SOURCES			402,090,200	425,481,900	
20.507 Board of commissioners of public lands					
(1) TRUST LANDS AND INVESTMENTS					
(h) Trust lands and investments – general program operations	PR–S	A	1,251,100 1,251,000	1,306,800 1,306,700	**Vetoed In Part**
(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			1,303,800	1,359,500	
FEDERAL			(52,700)	(52,700)	
OTHER			(–0–)	(–0–)	
SERVICE			(1,251,100)	(1,306,800)	
TOTAL–ALL SOURCES			1,303,800	1,359,500	
20.510 Elections board					
(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS					
(a) General program operations; general purpose revenue	GPR	B	879,500	868,400	
(g) Recount fees	PR	C	–0–	–0–	
(h) Materials and services	PR	A	15,000	15,000	
(i) General program operations; program revenue	PR	A	27,200	27,200	
(j) Electronic filing software	PR	C	–0–	–0–	
(q) Wisconsin election campaign fund	SEG	C	100,000	700,000	
20.510 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			879,500	868,400	
PROGRAM REVENUE			42,200	42,200	
OTHER			(42,200)	(42,200)	
SEGREGATED FUNDS			100,000	700,000	
OTHER			(100,000)	(700,000)	
TOTAL–ALL SOURCES			1,021,700	1,610,600	
20.512 Employment relations, department of					
(1) EMPLOYMENT RELATIONS					
(a) General program operations	GPR	A	5,713,000	5,687,400	
(i) Services to nonstate governmental units	PR	A	161,400	161,400	
(j) Gifts and donations	PR	C	–0–	–0–	
(jm) Employe development and training services	PR	A	296,600	303,700	
(k) Funds received from other state agencies	PR–S	C	16,000	16,000	
(ka) Publications	PR–S	A	169,300	183,300	
(km) Collective bargaining grievance arbitrations	PR–S	A	85,200	85,200	
(m) Federal grants and contracts	PR–F	C	–0–	–0–	
(pz) Indirect cost reimbursements	PR–F	C	–0–	–0–	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			5,713,000	5,687,400	
PROGRAM REVENUE			728,500	749,600	
FEDERAL			(–0–)	(–0–)	
OTHER			(458,000)	(465,100)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SERVICE			(270,500)	(284,500)
TOTAL–ALL SOURCES			6,441,500	6,437,000
(2) AFFIRMATIVE ACTION COUNCIL				
(a) General program operations	GPR	A	–0–	–0–
(j) Gifts and donations	PR	C	–0–	–0–
(m) Federal grants and contracts	PR–F	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.512 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,713,000	5,687,400
PROGRAM REVENUE			728,500	749,600
FEDERAL			(–0–)	(–0–)
OTHER			(458,000)	(465,100)
SERVICE			(270,500)	(284,500)
TOTAL–ALL SOURCES			6,441,500	6,437,000
20.515 Employe trust funds, department of				
(1) EMPLOYE BENEFIT PLANS				
(a) Annuity supplements and payments	GPR	S	5,672,000	4,812,500
(b) Health insurance payments for certain retired state employees	GPR	S	–0–	–0–
(c) Contingencies	GPR	S	–0–	–0–
(t) Automated operating system	SEG	C	272,000	272,000
(u) Employe–funded reimbursement account plan	SEG	C	–0–	–0–
(um) Benefit administration	SEG	B	5,000	5,000
(ut) Health insurance data collection and analysis contracts	SEG	A	269,800	269,800
(v) Provision of benefits	SEG	B	1,575,700	584,100
(w) Administration	SEG	A	14,672,500	14,163,300
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			5,672,000	4,812,500
SEGREGATED FUNDS			16,795,000	15,294,200
OTHER			(16,795,000)	(15,294,200)
TOTAL–ALL SOURCES			22,467,000	20,106,700
(2) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM				
(a) Private employer health care coverage program; operating costs	GPR	B	200,000	–0–
(b) Grants for program administration	GPR	B	200,000	–0–
(g) Private employer health care coverage plan	PR	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			400,000	–0–
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			400,000	–0–
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,072,000	4,812,500
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED FUNDS			16,795,000	15,294,200
OTHER			(16,795,000)	(15,294,200)
TOTAL–ALL SOURCES			22,867,000	20,106,700
20.521 Ethics board				
(1) ETHICS AND LOBBYING REGULATION				
(a) General program operations; general purpose revenue	GPR	A	226,700	226,700
(g) General program operations; program revenue	PR	A	286,000	286,000
(h) Gifts and grants	PR	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(i) Materials and services	PR	A	15,000	15,000
20.521 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			226,700	226,700
PROGRAM REVENUE			301,000	301,000
OTHER			(301,000)	(301,000)
TOTAL–ALL SOURCES			527,700	527,700
20.525 Office of the governor				
(1) EXECUTIVE ADMINISTRATION				
(a) General program operations	GPR	S	2,909,500	2,956,900
(b) Contingent fund	GPR	S	21,700	21,700
(c) Membership in national associations	GPR	S	107,100	111,400
(d) Disability board	GPR	S	–0–	–0–
(f) Literacy improvement aids	GPR	A	28,000	28,000
(i) Gifts and grants	PR	C	–0–	–0–
(kb) Assistance from the department of development	PR–S	C	25,000	25,000
(kf) Literacy improvement aids; program revenues	PR–S	A	25,000	25,000
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,066,300	3,118,000
PROGRAM REVENUE			50,000	50,000
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(50,000)	(50,000)
TOTAL–ALL SOURCES			3,116,300	3,168,000
(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			3,250,900	3,302,600
PROGRAM REVENUE			50,000	50,000
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(50,000)	(50,000)
TOTAL–ALL SOURCES			3,300,900	3,352,600
20.536 Investment board				
(1) INVESTMENT OF FUNDS				
(k) General program operations	PR	C	14,498,600	17,720,500
(ka) General program operations; environmental improvement fund	PR–S	C	–0–	–0–
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			14,498,600	17,720,500
OTHER			(14,498,600)	(17,720,500)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			14,498,600	17,720,500
20.540 Office of the lieutenant governor				
(1) EXECUTIVE COORDINATION				
(a) General program operations	GPR	A	503,100	503,100
(g) Gifts, grants and proceeds	PR	C	–0–	–0–
(k) Grants from state agencies	PR–S	C	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
20.540 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			503,100	503,100
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			503,100	503,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
20.547 Personnel commission				
(1) REVIEW OF PERSONNEL DECISIONS				
(a) General program operations	GPR	A	855,500	857,700
(h) Publications	PR	A	3,000	3,000
(m) Federal aid	PR–F	C	–0–	–0–
20.547 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			855,500	857,700
PROGRAM REVENUE			3,000	3,000
FEDERAL			(–0–)	(–0–)
OTHER			(3,000)	(3,000)
TOTAL–ALL SOURCES			858,500	860,700
20.550 Public defender board				
(1) LEGAL ASSISTANCE				
(a) Program administration	GPR	A	1,894,400	2,415,400
(b) Appellate representation	GPR	A	3,850,300	3,851,000
(c) Trial representation	GPR	A	35,076,500	35,125,000
(d) Private bar and investigator reimbursement	GPR	B	18,314,000	18,826,700
(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			60,938,400	62,021,300
PROGRAM REVENUE			1,268,000	1,268,000
FEDERAL			(–0–)	(–0–)
OTHER			(1,154,700)	(1,154,700)
SERVICE			(113,300)	(113,300)
TOTAL–ALL SOURCES			62,206,400	63,289,300
20.566 Revenue, department of				
(1) COLLECTION OF TAXES				
(a) General program operations	GPR	A	50,631,400	48,040,400
(g) Administration of county sales and use taxes	PR	A	2,922,300	2,172,300
(ga) Cigarette tax stamps	PR	A	177,800	177,800
(gb) Business tax registration	PR	A	1,513,500	1,186,800
(gd) Administration of special district taxes	PR	A	382,700	337,700
(gf) Administration of resort tax	PR	A	18,500	18,500
(gg) Administration of local taxes	PR	A	278,900	203,900
(gm) Administration of tax on controlled substances dealers	PR	A	–0–	–0–
(h) Debt collection	PR	A	294,300	293,100
(ha) Administration of liquor tax	PR	A	215,400	170,400
(hm) Collections under contracts	PR	S	352,800	352,800
(hp) Administration of endangered resources voluntary payments	PR	A	33,000	33,000
(i) Gifts and grants	PR	C	–0–	–0–
(m) Federal funds; state operations	PR–F	C	–0–	–0–
(q) Recycling surcharge administration	SEG	A	123,000	245,900
(qm) Administration of rental vehicle fee	SEG	A	31,200	31,200
(r) Administration of dry cleaner fees	SEG	A	54,800	54,800
(s) Petroleum inspection fee collection	SEG	A	126,100	126,100
(u) Motor fuel tax administration	SEG	A	1,097,400	1,097,400
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			50,631,400	48,040,400

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
PROGRAM REVENUE			6,189,200	4,946,300	
FEDERAL			(–0–)	(–0–)	
OTHER			(6,189,200)	(4,946,300)	
SEGREGATED FUNDS			1,432,500	1,555,400	
OTHER			(1,432,500)	(1,555,400)	
TOTAL–ALL SOURCES			58,253,100	54,542,100	
(2) State and local finance					
(a) General program operations	GPR	A	10,765,800	10,765,800	
(am) Lottery and gaming credit administration	GPR	A	43,300	33,500	**Vetoed In Part**
(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	
(r) Lottery credit administration	SEG	A	–0–	–0–	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			10,809,100	10,799,300	
PROGRAM REVENUE			742,900	742,900	
FEDERAL			(–0–)	(–0–)	
OTHER			(742,900)	(742,900)	
SEGREGATED FUNDS			186,800	186,800	
OTHER			(186,800)	(186,800)	
TOTAL–ALL SOURCES			11,738,800	11,729,000	
(3) Administrative services and space rental					
(a) General program operations	GPR	A	15,520,100	15,534,000	
(b) Integrated tax system technology	GPR	A	5,736,000	–0–	
(c) Expert professional services	GPR	A	30,000	30,000	
(g) Services	PR	A	57,000	57,000	
(gm) Reciprocity agreement and publications	PR	A	201,400	201,400	
(go) Reciprocity agreement; Illinois	PR	A	105,000	50,700	
(i) Gifts and grants	PR	C	–0–	–0–	
(k) Internal services	PR–S	A	200,300	200,300	
(m) Federal funds; state operations	PR–F	C	–0–	–0–	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			21,286,100	15,564,000	
PROGRAM REVENUE			563,700	509,400	
FEDERAL			(–0–)	(–0–)	
OTHER			(363,400)	(309,100)	
SERVICE			(200,300)	(200,300)	
TOTAL–ALL SOURCES			21,849,800	16,073,400	
(7) Investment and local impact fund					
(e) Investment and local impact fund supplement	GPR	A	–0–	–0–	
(g) Investment and local impact fund administrative expenses	PR	A	–0–	–0–	
(n) Federal mining revenue	PR–F	C	–0–	–0–	
(v) Investment and local impact fund	SEG	C	–0–	–0–	
(7) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			–0–	–0–	
PROGRAM REVENUE			–0–	–0–	
FEDERAL			(–0–)	(–0–)	
OTHER			(–0–)	(–0–)	
SEGREGATED FUNDS			–0–	–0–	
OTHER			(–0–)	(–0–)	
TOTAL–ALL SOURCES			–0–	–0–	
(8) Lottery					
(a) General program operations	GPR	A	21,095,800	21,095,800	**Vetoed In Part**
(b) Retailer compensation	GPR	S	27,927,600	30,573,800	
(c) Vendor fees	GPR	S	12,178,700	12,419,000	**Vetoed In Part**

Statute, Agency and Purpose	Source	Type	1999–00	2000–01
(q) General program operations	SEG	A	–0–	–0–
(r) Retailer compensation	SEG	S	–0–	–0–
(s) Prizes	SEG	S	–0–	–0–
(v) Vendor fees	SEG	S	–0–	–0–
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			61,202,100	64,088,600
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			61,202,100	64,088,600
20.566 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			143,928,700	138,492,300
PROGRAM REVENUE			7,495,800	6,198,600
FEDERAL			(–0–)	(–0–)
OTHER			(7,295,500)	(5,998,300)
SERVICE			(200,300)	(200,300)
SEGREGATED FUNDS			1,619,300	1,742,200
OTHER			(1,619,300)	(1,742,200)
TOTAL–ALL SOURCES			153,043,800	146,433,100
20.575 Secretary of state				
(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(g) Program fees	PR	A	622,100	618,900
(ka) Agency collections	PR–S	A	4,000	4,000
20.575 DEPARTMENT TOTALS				
PROGRAM REVENUE			626,100	622,900
OTHER			(622,100)	(618,900)
SERVICE			(4,000)	(4,000)
TOTAL–ALL SOURCES			626,100	622,900
20.585 Treasurer, state				
(1) CUSTODIAN OF STATE FUNDS				
(b) Insurance	GPR	A	–0–	–0–
(e) Unclaimed property; contingency appropriation	GPR	S	–0–	–0–
(g) Processing services	PR	A	172,200	172,800
(h) Training conferences	PR	C	–0–	–0–
(i) Gifts and grants	PR	C	–0–	–0–
(j) Unclaimed property	PR	C	642,800	804,000
(jt) Allocation – cash management	PR	A	45,800	46,400
(kb) General program operations	PR–S	A	520,000	522,700
(km) Credit card use charges	PR–S	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
PROGRAM REVENUE			1,380,800	1,545,900
OTHER			(860,800)	(1,023,200)
SERVICE			(520,000)	(522,700)
TOTAL–ALL SOURCES			1,380,800	1,545,900
(2) COLLEGE TUITION PREPAYMENT PROGRAM				
(a) Administrative expenses; general fund	GPR	A	85,000	85,000
(q) Payment of tuition	SEG	S	–0–	–0–
(r) Payment of refunds	SEG	S	–0–	–0–
(s) Administrative expenses; tuition trust fund	SEG	A	147,000	150,000
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			85,000	85,000
SEGREGATED FUNDS			147,000	150,000
OTHER			(147,000)	(150,000)
TOTAL–ALL SOURCES			232,000	235,000
20.585 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			85,000	85,000
PROGRAM REVENUE			1,380,800	1,545,900
OTHER			(860,800)	(1,023,200)
SERVICE			(520,000)	(522,700)

Statute, Agency and Purpose	Source	Type	1999–00	2000–01
SEGREGATED FUNDS			147,000	150,000
OTHER			(147,000)	(150,000)
TOTAL–ALL SOURCES			1,612,800	1,780,900
General Executive Functions				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			242,764,400	242,900,300
PROGRAM REVENUE			389,132,900	390,456,300
FEDERAL			(108,349,500)	(107,322,200)
OTHER			(43,916,700)	(42,494,200)
SERVICE			(236,866,700)	(240,639,900)
SEGREGATED FUNDS			39,004,800	56,729,900
FEDERAL			(–0–)	(–0–)
OTHER			(38,004,800)	(55,729,900)
SERVICE			(1,000,000)	(1,000,000)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			670,902,100	690,086,500

Judicial

20.625 Circuit courts				
(1) COURT OPERATIONS				
(a) Circuit courts	GPR	S	49,024,500	49,186,300
(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	18,739,600	18,739,600
(e) Guardian ad litem costs	GPR	A	4,738,500	4,738,500
(m) Federal aid	PR–F	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			72,691,400	72,853,200
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			72,691,400	72,853,200
(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			72,691,400	72,853,200
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			72,691,400	72,853,200
20.660 Court of appeals				
(1) APPELLATE PROCEEDINGS				
(a) General program operations	GPR	S	6,997,900	6,997,900
(m) Federal aid	PR–F	C	–0–	–0–
20.660 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,997,900	6,997,900
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			6,997,900	6,997,900
20.665 Judicial commission				
(1) JUDICIAL CONDUCT				
(a) General program operations	GPR	A	172,700	173,100
(cm) Contractual agreements	GPR	B	18,200	18,200
(d) General program operations; judicial council	GPR	A	35,000	35,000
(mm) Federal aid	PR–F	C	–0–	–0–
20.665 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			225,900	226,300
PROGRAM REVENUE			–0–	–0–

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
FEDERAL			(–0–)	(–0–)	
TOTAL–ALL SOURCES			225,900	226,300	
20.680 Supreme court					
(1) SUPREME COURT PROCEEDINGS					
(a) General program operations	GPR	S	3,848,100	3,848,100	
(m) Federal aid	PR–F	C	–0–	–0–	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			3,848,100	3,848,100	
PROGRAM REVENUE			–0–	–0–	
FEDERAL			(–0–)	(–0–)	
TOTAL–ALL SOURCES			3,848,100	3,848,100	
(2) DIRECTOR OF STATE COURTS					
(a) General program operations	GPR	B	4,809,300	4,809,300	**Vetoed In Part**
(b) Judicial planning and research	GPR	A	–0–	–0–	
(g) Gifts and grants	PR	C	–0–	–0–	
(h) Materials and services	PR	C	50,900	50,900	
(i) Municipal judge training	PR	C	115,400	115,400	
(j) Court information systems	PR	C	7,014,700	8,342,100	
(kc) Central services	PR–S	A	164,000	164,000	
(kd) Court operations information technology	PR–S	A	–0–	–0–	
(ke) Interagency and intra–agency automation assistance	PR–S	C	–0–	–0–	
(kp) Court information systems; penalty assessment receipts	PR	A	950,000	–0–	
(m) Federal aid	PR–F	C	400,000	400,000	
(qm) Mediation fund	SEG	C	657,800	657,800	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			4,809,300	4,809,300	
PROGRAM REVENUE			8,695,000	9,072,400	
FEDERAL			(400,000)	(400,000)	
OTHER			(8,131,000)	(8,508,400)	
SERVICE			(164,000)	(164,000)	
SEGREGATED FUNDS			657,800	657,800	
OTHER			(657,800)	(657,800)	
TOTAL–ALL SOURCES			14,162,100	14,539,500	
(3) BAR EXAMINERS AND RESPONSIBILITY					
(g) Board of bar examiners	PR	C	528,200	528,200	
(h) Board of attorneys professional responsibility	PR	C	1,382,700	1,382,700	
(3) PROGRAM TOTALS					
PROGRAM REVENUE			1,910,900	1,910,900	
OTHER			(1,910,900)	(1,910,900)	
TOTAL–ALL SOURCES			1,910,900	1,910,900	
(4) LAW LIBRARY					
(a) General program operations	GPR	B	1,065,600	1,022,600	**Vetoed In Part**
(g) Library collections and services	PR	C	111,300	111,300	
(h) Gifts and grants	PR	C	229,200	229,200	
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,065,600	1,022,600	
PROGRAM REVENUE			340,500	340,500	
OTHER			(340,500)	(340,500)	
TOTAL–ALL SOURCES			1,406,100	1,363,100	
20.680 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			9,723,000	9,680,000	
PROGRAM REVENUE			10,946,400	11,323,800	
FEDERAL			(400,000)	(400,000)	
OTHER			(10,382,400)	(10,759,800)	
SERVICE			(164,000)	(164,000)	
SEGREGATED FUNDS			657,800	657,800	
OTHER			(657,800)	(657,800)	
TOTAL–ALL SOURCES			21,327,200	21,661,600	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
Judicial				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			89,638,200	89,757,400
PROGRAM REVENUE			10,946,400	11,323,800
FEDERAL			(400,000)	(400,000)
OTHER			(10,382,400)	(10,759,800)
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			101,242,400	101,739,000

Legislative

20.765 Legislature

(1)	ENACTMENT OF STATE LAWS				
(a)	General program operations — assembly	GPR	S	20,558,000	20,558,000
(b)	General program operations — senate	GPR	S	13,346,100	13,346,100
(d)	Legislative documents	GPR	S	9,596,200	8,028,600
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				43,500,300	41,932,700
TOTAL–ALL SOURCES				43,500,300	41,932,700
(2)	SPECIAL STUDY GROUPS				
(a)	Retirement committees	GPR	A	217,000	212,800
(ab)	Retirement actuarial studies	GPR	B	15,000	15,000
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				232,000	227,800
TOTAL–ALL SOURCES				232,000	227,800
(3)	SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
(a)	Revisor of statutes bureau	GPR	B	712,300	718,500
(b)	Legislative reference bureau	GPR	B	3,635,000	3,637,800
(c)	Legislative audit bureau	GPR	B	4,022,900	4,022,900
(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	162,500	167,600
(g)	Gifts and grants to service agencies	PR	C	–0–	–0–
(ka)	Audit bureau reimbursable audits	PR–S	A	1,281,900	1,355,200
(m)	Federal aid	PR–F	C	–0–	–0–
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				15,225,100	15,314,200
PROGRAM REVENUE				1,281,900	1,355,200
FEDERAL				(–0–)	(–0–)
OTHER				(–0–)	(–0–)
SERVICE				(1,281,900)	(1,355,200)
TOTAL–ALL SOURCES				16,507,000	16,669,400
20.765 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				58,957,400	57,474,700
PROGRAM REVENUE				1,281,900	1,355,200
FEDERAL				(–0–)	(–0–)
OTHER				(–0–)	(–0–)
SERVICE				(1,281,900)	(1,355,200)
TOTAL–ALL SOURCES				60,239,300	58,829,900
Legislative					
FUNCTIONAL AREA TOTALS					
GENERAL PURPOSE REVENUES				58,957,400	57,474,700
PROGRAM REVENUE				1,281,900	1,355,200
FEDERAL				(–0–)	(–0–)
OTHER				(–0–)	(–0–)

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
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			60,239,300	58,829,900	

General Appropriations

20.835 Shared revenue and tax relief						
(1) SHARED REVENUE PAYMENTS						
(b) Small municipalities shared revenue	GPR	S	10,000,000	11,875,000 11,000,000	**Vetoed In Part**
(c) Expenditure restraint program account	GPR	S	48,000,000	57,000,000	
(d) Shared revenue account	GPR	S	930,459,800	949,069,000 930,459,800	**Vetoed In Part**
(e) State aid; computers	GPR	S	63,800,000	70,250,000	
(f) County mandate relief account	GPR	S	20,159,000	20,763,800	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,072,418,800	1,108,957,800	
TOTAL–ALL SOURCES			1,072,418,800	1,108,957,800	
(2) TAX RELIEF					
(b) Claim of right credit	GPR	S	–0–	–0–	
(c) Homestead tax credit	GPR	S	77,900,000	88,100,000	
(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	18,500,000	16,900,000	
(dn) Farmland tax relief credit	GPR	S	15,000,000	15,000,000	**Vetoed In Part**
(ep) Cigarette and tobacco product tax refunds	GPR	S	9,520,000	9,320,000	
(f) Earned income tax credit	GPR	S	12,200,000	13,000,000	
(ka) Farmland tax relief credit	PR	C	–0–	–0–	
(kf) Earned income tax credit; temporary assistance for needy families	PR–S	A	51,000,000	54,000,000	
(q) Farmland tax relief credit	SEG	S	–0–	–0–	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			133,425,000	142,625,000	
PROGRAM REVENUE			51,000,000	54,000,000	
OTHER			(–0–)	(–0–)	
SERVICE			(51,000,000)	(54,000,000)	
SEGREGATED FUNDS			–0–	–0–	
OTHER			(–0–)	(–0–)	
TOTAL–ALL SOURCES			184,425,000	196,625,000	
(3) STATE PROPERTY TAX CREDITS					
(b) School levy tax credit	GPR	S	469,305,000	469,305,000	
(q) Lottery credit	SEG	S	227,097,100	401,761,200	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			469,305,000	469,305,000	
SEGREGATED FUNDS			227,097,100	401,761,200	
OTHER			(227,097,100)	(401,761,200)	
TOTAL–ALL SOURCES			696,402,100	871,066,200	
(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–	

Statute, Agency and Purpose	Source	Type	1999–00	2000–01	
OTHER			(–0–)	(–0–)	
TOTAL–ALL SOURCES			–0–	–0–	
(5) PAYMENTS IN LIEU OF TAXES					
(a) Payments for municipal services	GPR	A	18,065,300	23,439,500 21,565,300	Vetoed In Part
(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			18,065,300	23,439,500	
TOTAL–ALL SOURCES			18,065,300	23,439,500	
20.835 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			1,693,214,100	1,744,327,300	
PROGRAM REVENUE			51,000,000	54,000,000	
OTHER			(–0–)	(–0–)	
SERVICE			(51,000,000)	(54,000,000)	
SEGREGATED FUNDS			227,097,100	401,761,200	
OTHER			(227,097,100)	(401,761,200)	
TOTAL–ALL SOURCES			1,971,311,200	2,200,088,500	
20.855 Miscellaneous appropriations					
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT					
(a) Obligation on operating notes	GPR	S	–0–	7,800,000	
(b) Operating note expenses	GPR	S	110,000	110,000	
(bm) Payment of cancelled drafts	GPR	S	1,100,000	1,100,000	
(c) Interest payments to program revenue accounts	GPR	S	–0–	–0–	
(d) Interest payments to segregated funds	GPR	S	–0–	–0–	
(dm) Interest reimbursements to federal government	GPR	S	–0–	–0–	Vetoed In Part
(e) Interest on prorated local government payments	GPR	S	–0–	–0–	
(gm) Payment of cancelled drafts; program revenues	PR	S	–0–	–0–	
(q) Redemption of operating notes	SEG	S	–0–	–0–	
(r) Interest payments to general fund	SEG	S	–0–	–0–	
(rm) Payment of cancelled drafts; segregated revenues	SEG	S	–0–	–0–	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,210,000	9,010,000	
PROGRAM REVENUE			–0–	–0–	
OTHER			(–0–)	(–0–)	
SEGREGATED FUNDS			–0–	–0–	
OTHER			(–0–)	(–0–)	
TOTAL–ALL SOURCES			1,210,000	9,010,000	
(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–	
(b) Election campaign payments	GPR	S	310,000	310,000	
(c) Minnesota income tax reciprocity	GPR	S	44,500,000	48,000,000	
(ca) Minnesota income tax reciprocity bench mark	GPR	A	–0–	–0–	
(cm) Illinois income tax reciprocity	GPR	S	–0–	–0–	
(cn) Illinois income tax reciprocity benchmark	GPR	A	105,000	50,700	
(co) Illinois income tax reciprocity, 1998 and 1999	GPR	A	8,250,000	–0–	
(e) Transfer to conservation fund; land acquisition reimbursement	GPR	S	238,700	247,900	
(f) Supplemental title fee matching	GPR	S	10,600,000	10,400,000	
(q) Terminal tax distribution	SEG	S	1,046,300	1,057,400	
(r) Petroleum allowance	SEG	S	400,000	400,000	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(s) Transfer to conservation fund; motorboat formula	SEG	S	10,101,300	10,495,500
(t) Transfer to conservation fund; snowmobile formula	SEG	S	3,676,500	3,846,800
(u) Transfer to conservation fund; all–terrain vehicle formula	SEG	S	635,000	720,500
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			64,803,700	59,908,600
SEGREGATED FUNDS			15,859,100	16,520,200
OTHER			(15,859,100)	(16,520,200)
TOTAL–ALL SOURCES			80,662,800	76,428,800
(5) STATE HOUSING AUTHORITY RESERVE FUND				
(a) Enhancement of credit of authority debt	GPR	A	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(6) MISCELLANEOUS RECEIPTS				
(g) Gifts and grants	PR	C	–0–	–0–
(h) Vehicle and aircraft receipts	PR	A	–0–	–0–
(i) Miscellaneous program revenue	PR	A	–0–	–0–
(j) Custody accounts	PR	C	–0–	–0–
(k) Aids to individuals and organizations	PR–S	C	–0–	–0–
(ka) Local assistance	PR–S	C	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
(pz) Indirect cost reimbursements	PR–F	C	–0–	–0–
(6) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(7) DEBT COLLECTIONS				
(j) Delinquent support and maintenance payments	PR	C	–0–	–0–
(7) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(8) MARQUETTE UNIVERSITY				
(a) Dental clinic and educ facility; principal repayment, interest & rebates	GPR	S	–0–	–0–
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(9) STATE CAPITOL RENOVATION AND RESTORATION				
(a) South wing renovation and restoration	GPR	C	–0–	–0–
(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			68,434,100	71,339,000
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			15,859,100	16,520,200
OTHER			(15,859,100)	(16,520,200)
TOTAL–ALL SOURCES			84,293,200	87,859,200
20.865 Program supplements				
(1) EMPLOYE COMPENSATION AND SUPPORT				

Statute, Agency and Purpose		Source	Type	1999–00	2000–01
(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
(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–
(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–
	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

Statute, Agency and Purpose		Source	Type	1999–00	2000–01	
(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–	
(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	20,254,800	84,790,900 83,790,900	Vetoed In Part
(g)	Program revenue funds general program supplementation	PR	S	1,406,000 956,000	2,641,500 2,191,500	Vetoed In Part
(m)	Federal funds general program supplementation	PR–F	C	115,219,000	10,000,000	
(u)	Segregated funds general program supplementation	SEG	S	2,397,300	11,267,100	
	(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				20,254,800	84,790,900	
PROGRAM REVENUE				116,625,000	12,641,500	
FEDERAL				(115,219,000)	(10,000,000)	
OTHER				(1,406,000)	(2,641,500)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
SEGREGATED FUNDS			2,397,300	11,267,100
OTHER			(2,397,300)	(11,267,100)
TOTAL–ALL SOURCES			139,277,100	108,699,500
(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			38,767,500	134,987,200
PROGRAM REVENUE			117,911,500	13,928,000
FEDERAL			(115,219,000)	(10,000,000)
OTHER			(2,692,500)	(3,928,000)
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			2,397,300	11,267,100
FEDERAL			(–0–)	(–0–)
OTHER			(2,397,300)	(11,267,100)
TOTAL–ALL SOURCES			159,076,300	160,182,300
20.866 Public debt				
(1) BOND SECURITY AND REDEMPTION FUND				
(u) Principal repayment and interest	SEG	S	–0–	–0–
20.866 DEPARTMENT TOTALS				
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.867 Building commission				
(1) STATE OFFICE BUILDINGS				
(a) Principal repayment and interest; housing of state agencies	GPR	S	–0–	–0–
(b) Principal repayment and interest; capitol and executive residence	GPR	S	2,689,600	7,159,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,689,600	7,159,000
TOTAL–ALL SOURCES			2,689,600	7,159,000
(2) ALL STATE–OWNED FACILITIES				
(b) Asbestos removal	GPR	A	–0–	–0–
(c) Hazardous materials removal	GPR	A	–0–	–0–
(f) Facilities preventive maintenance	GPR	A	–0–	–0–
(q) Building trust fund	SEG	C	–0–	–0–
(r) Planning and design	SEG	C	–0–	–0–
(u) Aids for buildings	SEG	C	–0–	–0–
(v) Building program funding contingency	SEG	C	–0–	–0–
(w) Building program funding	SEG	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			–0–	–0–
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
(3) STATE BUILDING PROGRAM				
(a) Principal repayment and interest	GPR	S	–0–	20,013,700
(b) Principal repayment and interest	GPR	S	49,900	–0–
(bp) Principal repayment, interest and rebates	GPR	S	–0–	–0–
(br) Principal repayment, interest and rebates	GPR	S	–0–	–0–
(c) Lease rental payments	GPR	S	–0–	–0–
(d) Interest rebates on obligation proceeds; general fund	GPR	S	–0–	–0–
(e) Principal repayment, interest and rebates; parking ramp	GPR	S	–0–	–0–
(g) Principal repayment, interest and rebates; program revenues	PR	S	–0–	–0–
(h) Principal repayment, interest and rebates	PR	S	–0–	–0–
(i) Principal repayment, interest and rebates; capital equipment	PR	S	–0–	–0–
(k) Interest rebates on obligation proceeds; program revenues	PR–S	C	–0–	–0–
(q) Principal repayment and interest; segregated revenues	SEG	S	–0–	–0–
(r) Interest rebates on obligation proceeds; conservation fund	SEG	S	–0–	–0–
(s) Interest rebates on obligation proceeds; transportation fund	SEG	S	–0–	–0–
(t) Interest rebates on obligation proceeds; veterans trust fund	SEG	S	–0–	–0–
(w) Bonding services	SEG	S	1,024,200	1,024,200
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			49,900	20,013,700
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			1,024,200	1,024,200
OTHER			(1,024,200)	(1,024,200)
TOTAL–ALL SOURCES			1,074,100	21,037,900
(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
(q) Funding in lieu of borrowing	SEG	C	–0–	–0–
(r) Interest on veterans obligations	SEG	C	–0–	–0–
(4) PROGRAM TOTALS				
SEGREGATED FUNDS			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,739,500	27,172,700
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED FUNDS			1,024,200	1,024,200
OTHER			(1,024,200)	(1,024,200)
TOTAL–ALL SOURCES			3,763,700	28,196,900
20.875 Budget stabilization fund				
(1) TRANSFERS TO FUND				
(a) General fund transfer	GPR	A	–0–	–0–
(1) PROGRAM TOTALS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
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			1,803,155,200	1,977,826,200
PROGRAM REVENUE			168,911,500	67,928,000
FEDERAL			(115,219,000)	(10,000,000)
OTHER			(2,692,500)	(3,928,000)
SERVICE			(51,000,000)	(54,000,000)
SEGREGATED FUNDS			246,377,700	430,572,700
FEDERAL			(–0–)	(–0–)
OTHER			(246,377,700)	(430,572,700)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			2,218,444,400	2,476,326,900
STATE TOTAL			20,680,204,900	21,121,119,400
GENERAL PURPOSE REVENUES			10,616,351,800	11,160,657,000
PROGRAM REVENUE			7,103,160,700	6,830,728,800
FEDERAL			(4,452,979,100)	(4,108,258,100)
OTHER			(1,908,108,400)	(1,967,626,400)
SERVICE			(742,073,200)	(754,844,300)
SEGREGATED FUNDS			2,960,692,400	3,129,733,600
FEDERAL			(632,423,900)	(582,023,000)
OTHER			(2,105,196,400)	(2,330,287,000)
SERVICE			(151,399,100)	(151,853,600)
LOCAL			(71,673,000)	(65,570,000)

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. 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 (3) (b) shall be credited to this appropriation account.

SECTION 177s. 20.115 (2) (c) of the statutes is created to read:

20.115 **(2)** (c) *Financial assistance for paratuberculosis testing.* The amounts in the schedule for financial assistance for paratuberculosis testing under s. 95.197.

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 179q. 20.115 (3) (c) of the statutes is created to read:

20.115 **(3)** (c) *Export promotion program.* The amounts in the schedule for promotion of exports of agricultural products.

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

20.115 **(7)** (b) *Principal repayment and interest, conservation reserve enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and interest costs incurred in financing the conservation reserve enhancement program under s. 20.866 (2) (wf) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects.

SECTION 184. 20.115 (7) (d) of the statutes is created to read:

20.115 **(7)** (d) *Drainage board grants.* The amounts in the schedule for grants to drainage boards under s. 88.15. No moneys may be encumbered from this appropriation after June 30, 2004.

SECTION 184c. 20.115 (7) (dr) of the statutes is created to read: **Vetoed In Part**

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

SECTION 184e. 20.115 (7) (e) of the statutes is repealed. **Vetoed In Part**

SECTION 185. 20.115 (7) (ga) of the statutes is amended to read:

20.115 **(7)** (ga) *Related services.* All moneys received from publication sales and service fees authorized by law that are related to agricultural resource management, from fees under s. 94.50 and from costs paid by municipalities under s. 88.64 (6), for the publication of informational materials and the conduct of services related to agricultural resource management.

SECTION 186. 20.115 (7) (gb) of the statutes is created to read:

20.115 **(7)** (gb) *Agricultural resource management; gifts and grants.* All moneys received from gifts, grants and bequests for the agricultural resource management purposes under chs. 88 and 91 to 94 to carry out the purposes for which made.

SECTION 187. 20.115 (7) (j) of the statutes is repealed.

SECTION 188. 20.115 (7) (ja) of the statutes is created to read:

20.115 **(7)** (ja) *Plant protection.* All moneys received under s. 94.10 (2), (3) and (3g) for plant protection, including nursery regulation and the detection and control of plant pests.

SECTION 188f. 20.115 (7) (km) of the statutes is repealed.

SECTION 189. 20.115 (7) (qc) of the statutes is created to read:

20.115 **(7)** (qc) *Plant protection; conservation fund.* From the conservation fund, the amounts in the schedule for plant protection, including nursery regulation and control of plant pests.

Vetoed In Part

SECTION 189e. 20.115 (7) (uc) of the statutes is created to read:

20.115 **(7)** (uc) *Pesticide sales and use reporting system administration.* From the agrichemical management fund, as a continuing appropriation, the amounts in the schedule for the development and administration of the pesticide sales and use reporting system under s. 94.695.

SECTION 189g. 20.115 (7) (ue) of the statutes is created to read:

20.115 **(7)** (ue) *Pesticide sales and use reporting system development.* From the environmental fund, as a continuing appropriation, the amounts in the schedule to contract for assistance in developing the pesticide sales and use reporting system under s. 94.695.

Vetoed In Part

SECTION 190. 20.115 (8) (g) of the statutes is amended to read:

20.115 **(8)** (g) *Gifts and grants.* Except as provided in ~~sub.~~ subs. (2) (gb) ~~or~~, (3) (ga), (4) (i) and (7) (gb), all moneys received from gifts and grants to carry out the purposes for which made.

SECTION 191. 20.115 (8) (ga) of the statutes is amended to read:

20.115 **(8)** (ga) *Milk standards program.* All moneys received as payment for milk standards produced and used in the calibration and verification of instruments used for milk component testing and related costs for the milk standards program. ~~On June 30, 1990, 1991, 1992, 1993 and 1994, the department shall make payments, of at least $10,000 each year, to the general fund from this appropriation for the purpose of reimbursing milk standards program start–up costs. The payments shall total an amount equal to $142,200 by June 30, 1994.~~

SECTION 192. 20.115 (8) (j) of the statutes is created to read:

20.115 **(8)** (j) *Electronic processing.* All moneys received under s. 93.06 (1n) to be used for electronic processing authorized under s. 93.06 (1n) (a) and (b).

SECTION 193. 20.115 (8) (k) of the statutes is amended to read:

20.115 **(8)** (k) *Computer system equipment, staff and services.* The amounts in the schedule for the costs of computer system equipment, staff and services. All moneys ~~transferred for this purpose from pars. (ga), (gm), (h), (ha), (i), (kp), (ks), (m) and (pz) and subs. (1) (g), (gb), (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g), (ha), (j), (k) and (m), (3) (g), (h), (i), (j), (ja), (L) and (m) and (7) (g), (ga), (gm), (k) and (m)~~ received from the department for those purposes shall be credited to this appropriation account.

SECTION 193m. 20.115 (8) (kt) of the statutes is repealed.

SECTION 195c. 20.143 (1) (br) (title) of the statutes is amended to read:

20.143 **(1)** (br) (title) *Brownfields and groundwater contamination grant program; general purpose revenue.* **Vetoed In Part**

SECTION 196. 20.143 (1) (c) of the statutes, as affected by 1997 Wisconsin Act 237, section 24, and 1997 Wisconsin Act 310, section 1c, is repealed and recreated to read:

20.143 **(1)** (c) *Wisconsin development fund; grants, loans, reimbursements and assistance.* Biennially, the amounts in the schedule for grants under ss. 560.081 (3), 560.083, 560.145, 560.16, 560.175, 560.26 and 560.28 (2) (a); 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). **Vetoed In Part** **Vetoed In Part**

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). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6f. shall be credited to this appropriation account.

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 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 202g. 20.143 (1) (fg) of the statutes is amended to read:

20.143 **(1)** (fg) *Community–based economic development programs.* The amounts in the schedule for grants under ss. 560.037 and 560.14 and for the ~~grant~~ grants under 1993 Wisconsin Act 16, section 9115 (1c) and 1999 Wisconsin Act .... (this act), section 9110 (6e) and (7v).

SECTION 203. 20.143 (1) (id) of the statutes is created to read:

20.143 **(1)** (id) *Gaming economic diversification grants and loans; repayments.* The amounts in the schedule for grants and loans under s. 560.138. All moneys received in repayment of loans under s. 560.138 shall be credited to this appropriation account.

SECTION 204. 20.143 (1) (ie) of the statutes is amended to read:

20.143 **(1)** (ie) *Wisconsin development fund, repayments.* All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.147, s. 560.16, 1995 stats., s. 560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m), 1989 Wisconsin Act 336, section 3015 (3gx), 1997 Wisconsin Act 27, section 9110 (7f), ~~and~~ 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act .... (this act), section 9110 (4), to be used for grants and loans under subch. V of ch. 560 except s. 560.65, for loans under s. 560.147, for grants under ~~s.~~ ss. 560.081 (3), 560.16, 560.175 and 560.25, for assistance under s. 560.06 (2), for the ~~loans~~ loan under ~~1997 Wisconsin Act 27~~ 1999 Wisconsin Act .... (this act), section 9110 ~~(7f), and 1997 Wisconsin Act 310, section 2 (2d)~~ (4), and for reimbursements under s. 560.167. **Vetoed In Part**

SECTION 205. 20.143 (1) (ig) of the statutes is created to read:

20.143 **(1)** (ig) *Gaming economic development grants and loans; repayments.* The amounts in the schedule for grants and loans under s. 560.137. All moneys received in repayment of loans under s. 560.137 shall be credited to this appropriation account.

SECTION 207. 20.143 (1) (kj) of the statutes is created to read:

20.143 **(1)** (kj) *Gaming economic development grants and loans.* The amounts in the schedule for grants and loans under s. 560.137, for marketing the program under s. 560.137, for the grants under s. 560.139, for the grants to Brown County under 1999 Wisconsin Act .... (this act), section 9110 (1), and for the grant under 1999 Wisconsin Act .... (this act), section 9110 (6c). From this appropriation, the department may expend in each fiscal year for marketing the program under s. 560.137 no more than the difference between $100,000 and the amount that the department spends in the same fiscal year from the appropriation under par. (km) for marketing the program under s. 560.138. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this appropriation account.

SECTION 208. 20.143 (1) (kj) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.143 **(1)** (kj) *Gaming economic development grants and loans.* The amounts in the schedule for grants and loans under s. 560.137, for marketing the program under s. 560.137~~,~~ and for the grants under s. 560.139~~, for the grants to Brown County under 1999 Wisconsin Act .... (this act), section 9110, and for the grant under 1999 Wisconsin Act .... (this act), section 9110 (6c)~~. From this appropriation, the department may expend in each fiscal year for marketing the program under s. 560.137 no more than the difference between $100,000 and the amount that the department spends in the same fiscal year from the appropriation under par. (km) for marketing the program under s. 560.138. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this appropriation account.

SECTION 209. 20.143 (1) (km) of the statutes is created to read:

20.143 **(1)** (km) G*aming economic diversification grants and loans.* The amounts in the schedule for grants and loans under s. 560.138, for marketing the program

under s. 560.138, for the grants under s. 560.139 and for the grant under 1999 Wisconsin Act .... (this act), section 9110 (7h). 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 210f. 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~~, 1997 stats., and s. 560.031, received under s. 287.46 (3), 1997 stats., in repayment of loans made by recipients of financial assistance awarded ~~by the recycling market development board~~ under s. 287.46 (1), 1997 stats., and received in repayment of loans under s. 560.835, to be used to provide financial assistance under ~~subch. III of ch. 287~~ s. 560.031 (3) and (4).

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

Vetoed In Part

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

SECTION 213. 20.143 (1) (s) of the statutes is repealed.

SECTION 214. 20.143 (1) (sm) of the statutes is repealed.

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

20.143 **(1)** (tm) *Recycling market development ~~board; contracts and~~; financial assistance.* Biennially, from the recycling fund, the amounts in the schedule for ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~ financial assistance under ~~subch. III of ch. 287~~ s. 560.031 (3), for the costs related to the materials exchange program under s. 560.031 (6) and for the grant under 1999 Wisconsin Act .... (this act), section 9110 (7rm).

Vetoed In Part

SECTION 216g. 20.143 (3) (j) of the statutes is amended to read:

20.143 **(3)** (j) *Safety and building operations.* The amounts in the schedule for the purposes of ~~subchs. I, II, III, IV and VI of ch.~~ chs. 101, ~~chs.~~ 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.9205 (3), 101.9208 (1) (b), 101.9213 (8), 101.935, 101.951 (2), 101.952 (2), 101.955 (2), 101.973 (7) and 236.12 (7) shall be credited to this appropriation.

SECTION 216m. 20.143 (3) (Lm) of the statutes is created to read:

20.143 **(3)** (Lm) *Petroleum storage remedial action fees.* The amounts in the schedule for the administration of ss. 101.143 and 101.144. All moneys received under s. 101.143 (2) (L) shall be credited to this appropriation account.

SECTION 217. 20.143 (3) (s) of the statutes is created to read:

20.143 **(3)** (s) *Petroleum inspection fund — revenue obligation proceeds.* As a continuing appropriation, all proceeds from revenue obligations that are issued under subch. II or IV of ch. 18, authorized under s. 101.143 (9m) and deposited in a fund in the state treasury created under s. 18.57 (1), to provide for reserves and for expenses of issuance and management of the revenue obligations, and the remainder to be transferred to the petroleum inspection fund for the purposes of the petroleum storage remedial action program under s. 101.143. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 217cr. 20.143 (3) (sa) of the statutes is created to read:

20.143 **(3)** (sa) *Administration of mobile homes.* From the transportation fund, the amounts in the schedule for administration of subch. V of ch. 101.

SECTION 218. 20.143 (3) (t) of the statutes is created to read:

20.143 **(3)** (t) *Petroleum inspection fund — revenue obligation repayment.* From the petroleum inspection fund, a sum sufficient to repay the fund in the state treasury created under s. 18.57 (1), or the separate and distinct fund outside the state treasury under s. 18.562 (3) and (5) (e), the amount needed to retire revenue obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m).

SECTION 219. 20.143 (3) (u) of the statutes is created to read:

20.143 **(3)** (u) *Revenue obligation debt service — petroleum inspection fund.* From the fund in the state treasury created under s. 18.57 (1), all moneys received by the fund for the purpose of the retirement of revenue obligations, providing for reserves and for operations relating to the management and retirement of revenue obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m). All moneys received by the fund are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of the revenue obligations and setting forth the distribution of funds to be received thereafter. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 220. 20.143 (3) (v) of the statutes is amended to read:

20.143 **(3)** (v) *Petroleum storage environmental remedial action; awards.* Biennially, from the petroleum inspection fund, the amounts in the schedule to pay awards under s. 101.143 ~~and~~, legal costs incurred under s. 101.143 (7m), 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 (4) and legal costs incurred under s. 101.143 (7m). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 221m. 20.143 (4) (kc) of the statutes is repealed.

SECTION 222. 20.144 (1) (g) of the statutes is amended to read:

20.144 **(1)** (g) *General program operations.* The amounts in the schedule for the general program operations of the department of financial institutions. Except as provided in pars.(a), (h), (i) and (u), all moneys received by the department, other than by the office of credit unions, the division of banking and the division of savings ~~and loan~~ 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 222m. 20.155 (1) (jm) of the statutes is created to read:

20.155 **(1)** (jm) *Stray voltage research.* The amounts in the schedule for stray voltage research. All moneys received by the commission from public utilities and electric cooperatives under s. 196.856 shall be credited to this appropriation. Annually, $175,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.285 (1) (kv) and $25,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.435 (1) (kx).

Vetoed In Part

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 to carry out the purpose for which received.

SECTION 226. 20.155 (1) (Lm) of the statutes is created to read:

20.155 **(1)** (Lm) *Consumer education and awareness.* All moneys received from gifts, grants, orders, judgments and settlements for consumer education and awareness to carry out the purpose for which received.

SECTION 226c. 20.155 (1) (q) of the statutes is amended to read:

20.155 **(1)** (q) *Universal telecommunications service.* ~~Biennially, from~~ From the universal service fund, the amounts in the schedule for the promotion of universal telecommunications service for the purposes specified in s. 196.218 (5) (a) 1. to 4., 8., 9. and 10. Annually, $100,000 shall be transferred to the department of health and family services under the appropriation account under s. 20.435 (6) (kd).

Vetoed In Part

SECTION 226e. 20.165 (1) (i) of the statutes is amended to read:

20.165 **(1)** (i) *Examinations; general program operations.* ~~All~~ Ninety percent of all moneys received under s. 440.05 (1) (b) for the purposes of preparing, administering and grading examinations. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account, excluding any amount specified by the secretary of administration that is reserved for the payment of future employe compensation or fringe benefit costs, at the end of each fiscal year which exceeds 30% of the estimated amount shown in the schedule under s. 20.005 for that fiscal year shall be transferred to the appropriation account under par. (g).

SECTION 226g. 20.215 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 237, is amended to read:

20.215 **(1)** (b) *State aid for the arts.* The amounts in the schedule for grants–in–aid or contract payments to groups, individuals, organizations and institutions by the arts board under s. 44.53 (1) (f) and (2) (a) ~~and~~, for grants and loans related to arts incubators under s. 44.60 and for the grant under 1999 Wisconsin Act .... (this act), section 9105 (1c).

SECTION 226m. 20.215 (1) (e) of the statutes is created to read:

20.215 **(1)** (e) *High Point fund.* The amounts in the schedule for a grant to the Milwaukee Foundation, Inc., for deposit in the High Point fund under s. 44.53 (1) (j).

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

20.215 **(1)** (fm) *Portage County Arts Alliance.* The amounts in the schedule for a grant to the city of Stevens Point arts council for development of the Portage County Arts Alliance under 1999 Wisconsin Act .... (this act),

section 9105 (2w). No moneys may be encumbered from this appropriation after June 30, 2000.

SECTION 226p. 20.215 (1) (kb) of the statutes is repealed.

SECTION 227. 20.215 (1) (km) of the statutes is created to read:

20.215 **(1)** (km) *State aid for the arts; Indian gaming receipts.* The amounts in the schedule for grants–in–aid or contract payments to American Indian groups, individuals, organizations and institutions under s. 44.53 (1) (fm) and (2) (am). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4b. shall be credited to this appropriation account.

SECTION 239m. 20.225 (1) (ka) of the statutes is repealed.

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.

Vetoed In Part

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

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

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

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

SECTION 244. 20.235 (1) (km) of the statutes is created to read:

20.235 **(1)** (km) *Wisconsin higher education grants; tribal college students.* Biennially, the amounts in the schedule for the Wisconsin higher education grant program under s. 39.435 for tribal college students, except for grants awarded under s. 39.435 (2) or (5). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 10. shall be credited to this appropriation account.

SECTION 244m. 20.235 (2) (ka) of the statutes is repealed.

SECTION 245m. 20.235 (3) of the statutes is renumbered 20.485 (5), and 20.485 (5) (g), as renumbered, is amended to read:

20.485 **(5)** (g) *Proprietary school programs.* The amounts in the schedule for the examination and approval of proprietary school programs. All moneys received from the issuance of solicitor's permits under s. ~~39.51~~ 45.54 (8) and fees under s. ~~39.51~~ 45.54 (10) shall be credited to this appropriation.

SECTION 246m. 20.245 (1) (b) of the statutes is repealed.

SECTION 246p. 20.245 (1) (c) of the statutes is created to read:

20.245 **(1)** (c) *Restoration of the state capitol; CD–ROM.* Biennially, the amounts in the schedule to produce a CD–ROM about the restoration of the state capitol under s. 44.34 (13).

SECTION 247. 20.245 (2) (km) of the statutes is created to read:

20.245 **(2)** (km) *Northern Great Lakes Center.* The amounts in the schedule for the operation of the Northern Great Lakes Center. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4h. shall be credited to this appropriation account.

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

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

SECTION 247d. 20.245 (3) (c) of the statutes is created to read:

20.245 **(3)** (c) *Neenah clock tower project.* Biennially, the amounts in the schedule for a grant to the city of Neenah under s. 44.02 (28). No moneys may be encumbered from this appropriation after June 30, 2001.

SECTION 247g. 20.245 (3) (e) of the statutes is created to read: **Vetoed In Part**

20.245 **(3)** (e) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the grants under s. 44.49, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the grants under s. 44.49.

SECTION 247k. 20.245 (4) (f) of the statutes is repealed.

SECTION 247m. 20.245 (4) (ka) of the statutes is repealed.

SECTION 248. 20.245 (4) (y) of the statutes is renumbered 20.245 (2) (y), and 20.245 (2) (y) (title), as renumbered, is amended to read:

20.245 **(2)** (y) (title) *Northern Great Lakes Center; interpretive programming.*

SECTION 249. 20.250 (1) (c) of the statutes is repealed.

SECTION 250m. 20.250 (1) (k) of the statutes is created to read:

20.250 **(1)** (k) *Tobacco–related illnesses.* All moneys received from the tobacco control board under s. 255.15 (3) (a) 4., for tobacco use prevention and cessation activities.

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

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

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

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

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

20.255 **(1)** (d) *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 institutional facilities for individuals with hearing impairments ~~and visual impairments~~ under s. 115.52, individuals with visual impairments under s. 115.525 and reference and loan library facilities under s. 43.05 (11).

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

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

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

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

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

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

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

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

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

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

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 252m. 20.255 (1) (kt) of the statutes is repealed.

SECTION 252p. 20.255 (1) (q) of the statutes is created to read: **Vetoed In Part**

20.255 **(1)** (q) *Agricultural education consultant.* From the agricultural chemical cleanup fund, the amounts in the schedule for an agricultural education consultant at the department of public instruction.

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~~ $3,767,893,500 in the 1999–2000 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).

SECTION 253c. 20.255 (2) (ad) of the statutes is created to read:

20.255 **(2)** (ad) *Supplemental aid.* The amounts in the schedule for aid to school districts under s. 115.435.

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 254m. 20.255 (2) (bc) of the statutes is amended to read:

20.255 **(2)** (bc) *Aid for children–at–risk programs and residential school planning grant.* The amounts in the schedule for aid for children–at–risk programs under s. 118.153 and, in the 1999–2000 fiscal year, the residential school planning grant under 1999 Wisconsin Act .... (this act), section 9139 (3x) (b).

SECTION 255m. 20.255 (2) (cf) of the statutes is created to read:

20.255 **(2)** (cf) *Alternative education grants.* The amounts in the schedule for alternative education grants under s. 115.366.

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 256m. 20.255 (2) (cm) of the statutes is amended to read:

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

SECTION 256t. 20.255 (2) (cs) of the statutes is created to read:

20.255 **(2)** (cs) *Aid for debt service.* The amounts in the schedule for aid for debt service under s. 118.43 (8).

SECTION 257. 20.255 (2) (cu) of the statutes is amended to read:

20.255 **(2)** (cu) *Achievement guarantee contracts.* The amounts in the schedule for aid to school districts and the program evaluation under s. 118.43. No funds may be encumbered from this appropriation after June 30, ~~2003~~ 2005.

SECTION 258. 20.255 (2) (d) of the statutes is repealed.

SECTION 259. 20.255 (2) (dc) of the statutes is repealed.

SECTION 260. 20.255 (2) (dm) (title) of the statutes is amended to read:

20.255 **(2)** (dm) (title) *Grants for ~~early~~ alcohol and other drug abuse prevention and intervention programs.*

SECTION 261m. 20.255 (2) (ec) of the statutes is repealed.

SECTION 262. 20.255 (2) (ed) of the statutes is repealed.

SECTION 262p. 20.255 (2) (fL) of the statutes is created to read: **Vetoed In Part**

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

SECTION 263m. 20.255 (2) (fu) of the statutes is amended to read:

20.255 **(2)** (fu) *Milwaukee parental choice program.* A sum sufficient to make the payments to private schools under s. 119.23 (4) and (4m).

SECTION 265. 20.255 (2) (fy) of the statutes is repealed.

SECTION 266. 20.255 (2) (g) of the statutes is renumbered 20.255 (2) (kd) and amended to read:

20.255 **(2)** (kd) *Aid for alcohol and other drug abuse programs.* ~~All moneys received under s. 165.87 (1)~~ The amounts in the schedule for the purpose of s. 115.36 (3). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 5. shall be credited to this appropriation account.

SECTION 266m. 20.255 (2) (kh) of the statutes is created to read:

20.255 **(2)** (kh) *Head start supplement; federal block grant aids.* All moneys transferred from the appropriation account under s. 20.445 (3) (md) for the head start supplement under s. 115.3615.

SECTION 267. 20.255 (2) (kp) of the statutes is created to read:

20.255 **(2)** (kp) *Aid to Milwaukee Public Schools; federal block grant aids.* The amounts in the schedule for aid to the school district operating under ch. 119 under ss. 119.72 and 119.82, to be distributed according to the spending plan under s. 119.80. All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

SECTION 268. 20.255 (3) (eb) of the statutes is repealed.

SECTION 269. 20.255 (3) (ed) of the statutes is repealed.

SECTION 270. 20.255 (3) (ef) of the statutes is renumbered 20.445 (7) (ef) and amended to read:

20.445 **(7)** (ef) *School–to–work programs for children at risk.* The amounts in the schedule for grants to nonprofit organizations under s. ~~118.153 (3m)~~ 106.13 (4m).

SECTION 270m. 20.255 (3) (q) of the statutes is created to read:

20.255 **(3)** (q) *Periodical and reference information data bases.* From the universal service fund, the amounts in the schedule to contract for periodical and reference information data bases under s. 115.28 (26).

SECTION 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 273n. 20.275 (1) (et) of the statutes is amended to read:

Vetoed In Part

20.275 **(1)** (et) *Educational technology training and technical assistance grants.* ~~Biennially, the~~ The amounts in the schedule for grants to cooperative educational service agencies and consortia under s. 44.72 (1) and to the board of regents of the University of Wisconsin System under 1999 Wisconsin Act .... (this act), section 9148 (2g).

SECTION 274. 20.275 (1) (fs) of the statutes is repealed.

Vetoed In Part

SECTION 274m. 20.275 (1) (gf) of the statutes is created to read:

20.275 **(1)** (gf) *Payments from telecommunications carriers; school districts.* All moneys received from telecommunications carriers in lieu of discounted service to school districts under 47 USC 254 to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (a) and, prior to July 1, 2002, to make grants to school districts under s. 44.73 (6). Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and par. (s), in the aggregate, may not exceed the amounts in the schedule for par. (s).

SECTION 274r. 20.275 (1) (gg) of the statutes is created to read:

20.275 **(1)** (gg) *Payments from telecommunications carriers; libraries.* All moneys received from telecommunications carriers in lieu of discounted service to libraries under 47 USC 254 to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (b). Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and par. (t), in the aggregate, may not exceed the amounts in the schedule for par. (t).

Vetoed In Part

SECTION 274t. 20.275 (1) (gh) of the statutes is created to read:

20.275 **(1)** (gh) *Payments from telecommunications carriers; private schools.* All moneys received from telecommunications carriers in lieu of discounted service to private schools under 47 USC 254 to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (c) and, prior to July 1, 2002, to make grants to private schools under s. 44.73 (6). Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and par. (tm), in the aggregate, may not exceed the amounts in the schedule for par. (tm).

SECTION 275. 20.275 (1) (gm) of the statutes is created to read:

20.275 **(1)** (gm) *Wisconsin advanced telecommunications foundation services.* All moneys received from the Wisconsin advanced telecommunications foundation to provide administrative services to the Wisconsin advanced telecommunications foundation under contracts under s. 44.71 (2) (bm).

SECTION 276. 20.275 (1) (h) of the statutes is amended to read:

20.275 **(1)** (h) *Principal, interest and rebates; program revenue — school districts.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing ~~subsidized~~ educational technology infrastructure ~~loans~~ financial assistance to school districts under s. 44.72 (4) and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

SECTION 277. 20.275 (1) (hb) of the statutes is amended to read:

20.275 **(1)** (hb) *Principal, interest and rebates; program revenue — public library boards.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing ~~subsidized~~ educational technology infrastructure ~~loans~~ financial assistance to public library boards under s. 44.72 (4) and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m).

SECTION 278. 20.275 (1) (L) of the statutes is amended to read:

20.275 **(1)** (L) *Equipment purchases and leases.* All moneys received from school districts, cooperative educational service agencies and public educational institutions for the purchase or lease of educational technology

equipment under s. 44.71 (2) ~~(h)~~ (a) 8., for the purpose of purchasing such equipment.

SECTION 279m. 20.275 (1) (s) of the statutes is amended to read:

20.275 **(1)** (s) ~~*Educational telecommunications*~~ *Telecommunications access* ~~*support*~~*; school districts*~~*, cooperative educational service agencies and technical college districts*~~*; grant*. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (a) to the extent that the amounts due are not paid from the ~~appropriation~~ appropriations under par. (gf) and s. 20.505 (1) (is) and, prior to July 1, 2002, to the extent that the amounts due school districts are not paid from the appropriation under par. (gf), to make grants to school districts under s. ~~196.218 (4r) (g)~~ 44.73 (6) and, in the 1999–2000 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin Act .... (this act), section 9148 (4w).

Vetoed In Part

SECTION 280m. 20.275 (1) (t) of the statutes is amended to read:

20.275 **(1)** (t) ~~*Educational telecommunications*~~ *Telecommunications access* ~~*support*~~*; private and technical colleges and* ~~*public library boards*~~ *libraries*. Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (b) to the extent that the amounts due are not paid from the ~~appropriation~~ appropriations under par. (gg) and s. 20.505 (1) (is).

Vetoed In Part

SECTION 281m. 20.275 (1) (tm) of the statutes is amended to read:

20.275 **(1)** (tm) ~~*Educational telecommunications*~~ *Telecommunications access* ~~*support*~~*; private schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (c) to the extent that the amounts due are not paid from the ~~appropriation~~ appropriations under par. (gh) and s. 20.505 (1) (is) and, prior to July 1, 2002, to the extent that the amounts due private schools are not paid from the appropriation under par. (gh), to make grants to private schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

Vetoed In Part

SECTION 283. 20.275 (1) (tu) of the statutes is created to read:

20.275 **(1)** (tu) *Telecommunications access; state schools.* Biennially, from the universal service fund, the amounts in the schedule to make payments to telecommunications providers under contracts with the department of administration under s. 16.974 (7) (d) to the extent that the amounts due are not paid from the appropriation under s. 20.505 (1) (kL).

SECTION 283m. 20.275 (1) (u) of the statutes is repealed.

SECTION 285. 20.285 (1) (b) of the statutes is amended to read:

20.285 **(1)** (b) *Area health education* ~~*center*~~ *centers*. The amounts in the schedule ~~for the~~ to operate and implement jointly with the Medical College of Wisconsin area health education ~~center at the University of Wisconsin–Madison under s. 36.25 (37)~~ centers and projects. Beginning October 1, 1999, the area health education centers and projects shall be implemented and operated solely by the board of regents of the University of Wisconsin System.

SECTION 285m. 20.285 (1) (ep) of the statutes is created to read:

20.285 **(1)** (ep) *Extension local planning program.* The amounts in the schedule for the University of Wisconsin–Extension local planning program under s. 36.11 (37) and for development of model ordinances for traditional neighborhood development and conservation development under s. 66.034.

SECTION 286m. 20.285 (1) (er) of the statutes is created to read:

20.285 **(1)** (er) *Grants for study abroad.* The amounts in the schedule for grants for study abroad under s. 36.36.

SECTION 290. 20.285 (1) (gm) of the statutes is repealed.

SECTION 291. 20.285 (1) (h) of the statutes is amended to read:

20.285 **(1)** (h) *Auxiliary enterprises.* Except as provided under ~~par. (gm) and~~ subs. (5) (i) and (6) (g), all moneys received by the university of Wisconsin system for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph, to be used for the operation, maintenance and capital expenditures of activities specified in this paragraph, including the transfer of funds to pars. (kd) and (ke) and to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, and for optional rental payments in addition to the mandatory rental payments under the leases and subleases in connection with the providing of facilities for such activities. A separate account shall be maintained for each campus and extension. Upon the request of the extension or any campus within the system, the board of regents may transfer surplus moneys appropriated under this paragraph to the appropriation account under par. (kp).

SECTION 291t. 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~~ 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 292f. 20.285 (1) (kc) of the statutes is repealed.

SECTION 292m. 20.285 (1) (kf) of the statutes is created to read:

20.285 **(1)** (kf) *Outdoors skills training.* The amounts in the schedule for outdoors skills training under s. 29.598. All moneys transferred from the appropriation account under s. 20.370 (1) (mu) shall be credited to this appropriation account.

SECTION 293. 20.285 (1) (km) of the statutes is created to read:

20.285 **(1)** (km) *Aquaculture demonstration facility; principal repayment and interest.* The amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the aquaculture demonstration facility enumerated under 1999 Wisconsin Act .... (this act), section 9107 (1) (i) 3. and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that facility. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 1c. shall be credited to this appropriation account.

SECTION 294. 20.285 (1) (kn) of the statutes is created to read:

20.285 **(1)** (kn) *Aquaculture demonstration facility; operational costs.* The amounts in the schedule for the operational costs of the aquaculture demonstration facility enumerated under 1999 Wisconsin Act .... (this act), section 9107 (1) (i) 3. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11a. shall be credited to this appropriation account.

SECTION 294g. 20.285 (1) (kr) of the statutes is created to read:

20.285 **(1)** (kr) *University of Wisconsin center for tobacco research and intervention.* All moneys received from the tobacco control board under s. 255.15 (3) (a) 1., to advance the work of the tobacco research and intervention center at the University of Wisconsin–Madison in developing new educational programs to discourage tobacco use, determining the most effective strategies for preventing tobacco use and expanding smoking cessation programs throughout the state.

SECTION 294mm. 20.285 (1) (kv) of the statutes is created to read:

20.285 **(1)** (kv) *Stray voltage research.* All moneys transferred from the appropriation account under s. 20.155 (1) (jm) for stray voltage research under s. 36.25 (45).

SECTION 295m. 20.285 (1) (qd) of the statutes is created to read: **Vetoed In Part**

20.285 **(1)** (qd) *Ginseng research.* Biennially, from the agrichemical management fund, the amounts in the schedule to research the properties of ginseng that grows in this state. No moneys may be encumbered under this paragraph after June 30, 2001.

SECTION 296g. 20.285 (1) (qm) of the statutes is created to read:

20.285 **(1)** (qm) *Grants to forestry cooperatives.* From the conservation fund, the amounts in the schedule for grants to forest cooperatives under s. 36.56.

SECTION 296m. 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 296s. 20.285 (2) (i) 1. of the statutes is repealed.

SECTION 296t. 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).

SECTION 297m. 20.285 (3) (ka) of the statutes is repealed.

SECTION 297t. 20.285 (4) (dd) of the statutes is amended to read: **Vetoed In Part**

20.285 **(4)** (dd) *Lawton minority undergraduate grants program.* ~~The amounts in the schedule~~ A sum sufficient equal to the amount determined under s. 36.34 (1) (c) for the Lawton minority undergraduate grant program under s. 36.34 (1).

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 300m. 20.292 (1) (ec) of the statutes is created to read:

20.292 **(1)** (ec) *Milwaukee Enterprise Center.* The amounts in the schedule for a grant to the Milwaukee Enterprise Center under 1999 Wisconsin Act .... (this act), section 9147 (2ct). No moneys may be encumbered from this appropriation after June 30, 2001.

SECTION 301g. 20.292 (1) (ep) of the statutes is created to read:

20.292 **(1)** (ep) *Grants to students.* The amounts in the schedule for grants to students under s. 38.30.

SECTION 301r. 20.292 (1) (er) of the statutes is created to read:

20.292 **(1)** (er) *Grants for additional course sections.* The amounts in the schedule for grants to district boards under s. 38.31.

SECTION 302. 20.292 (1) (gt) of the statutes is amended to read:

20.292 **(1)** (gt) *Telecommunications retraining.* All moneys received under s. 38.42 (4) to fund telecommunications retraining grants under s. 38.42 (5). This paragraph does not apply after June 30, ~~1999~~ 2000.

SECTION 302m. 20.292 (1) (kc) of the statutes is repealed.

SECTION 302p. 20.292 (1) (q) of the statutes is created to read:

20.292 **(1)** (q) *Agricultural education consultant.* From the agricultural chemical cleanup fund, the amounts in the schedule for an agricultural education consultant at the technical college system board. **Vetoed In Part**

SECTION 303g. 20.315 (1) (g) and (ka) of the statutes are repealed.

SECTION 303m. 20.320 (1) (c) of the statutes is amended to read: **Vetoed In Part**

20.320 **(1)** (c) *Principal repayment and interest — clean water fund program.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and the urban storm water loan program under s. 281.595.

SECTION 303p. 20.320 (1) (q) of the statutes is amended to read:

20.320 **(1)** (q) *Clean water fund program revenue obligation funding.* As a continuing appropriation, all proceeds from revenue obligations issued for the clean water fund program or the urban storm water loan program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4) and deposited in the fund in the state treasury created under s. 18.57 (1), providing for reserves and for expenses of issuance and management of the revenue obligations, and the remainder to be transferred to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and the urban storm water loan program under s. 281.595. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005. **Vetoed In Part** **Vetoed In Part**

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

20.320 **(1)** (r) *Clean water fund program repayment of revenue obligations.* From the environmental improvement 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 for the clean water fund program or the urban storm water loan program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4). **Vetoed In Part**

SECTION 303q. 20.320 (1) (s) of the statutes is amended to read: **Vetoed In Part**

20.320 **(1)** (s) *Clean water fund program financial assistance.* From the environmental improvement fund, a sum sufficient for the purposes of providing clean water fund program financial assistance under s. 281.58 and urban storm water loan program assistance under s. 281.595.

SECTION 303s. 20.320 (1) (t) of the statutes is amended to read:

20.320 **(1)** (t) *Principal repayment and interest — clean water fund program bonds.* From the environmental improvement fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement fund for the purposes of the clean water fund program under s. 281.58 and the urban storm water loan program under s. 281.595. Fifty percent of all moneys received from municipalities as payment of interest on loans or portions of loans under ~~s.~~ ss. 281.58 and 281.595 the revenues of which have not been pledged to secure revenue obligations shall be credited to this appropriation account.

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

20.320 **(1)** (u) *Principal repayment and interest — clean water fund program revenue obligation repayment.* From the fund in the state treasury created under s. 18.57 (1), all moneys received by the fund and not transferred under s. 281.59 (4) (c) to the environmental improvement 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 for the clean water fund program or the urban storm water loan program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4). All moneys received 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. **Vetoed In Part**

SECTION 303u. 20.320 (1) (x) of the statutes is amended to read: **Vetoed In Part**

20.320 **(1)** (x) *Clean water fund program financial assistance; federal.* From the clean water fund program federal revolving loan fund account in the environmental

Vetoed In Part

improvement fund, all moneys received from the federal government to provide financial assistance under the clean water fund program under s. 281.58 and under the urban storm water loan program under s. 281.595, as authorized by the governor under s. 16.54, except moneys appropriated under par. (y), for financial assistance under the clean water fund program under s. 281.58 and under the urban storm water loan program under s. 281.595.

Vetoed In Part

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

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

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

20.320 **(2)** (r) *Safe drinking water loan program repayment of revenue obligations.* From the environmental improvement 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 for the safe drinking water loan program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4).

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

20.320 **(2)** (u) *Principal repayment and interest — safe drinking water loan program revenue obligation repayment.* From the fund in the state treasury created under s. 18.57 (1), all moneys received by the fund and not transferred under s. 281.59 (4) (c) to the environmental improvement 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 for the safe drinking water loan program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4). All moneys received 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.

SECTION 304. 20.320 (3) of the statutes is created to read:

20.320 **(3)** PRIVATE SEWAGE SYSTEM PROGRAM. (q) *Private sewage system loans.* From the environmental improvement fund, as a continuing appropriation, the amounts in the schedule for private sewage system replacement or rehabilitation loans under s. 145.245 (12m).

SECTION 305m. 20.360 (1) (ka) of the statutes is repealed.

SECTION 306. 20.370 (1) (ct) of the statutes is created to read:

20.370 **(1)** (ct) *Timber sales contracts — repair and reimbursement costs.* All moneys received by the department as sureties under s. 28.05 (1) to be used to repair damage and recover costs incurred by the improper performance of timber sales contracts and to reimburse persons who provide sureties as provided in s. 28.05 (1).

SECTION 306m. 20.370 (1) (fs) of the statutes is amended to read:

20.370 **(1)** (fs) *Endangered resources — voluntary payments; sales, leases and fees.* As a continuing appropriation, from moneys received as amounts designated under ~~s.~~ ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ~~s.~~ ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources derived from the land in the state natural areas system and all moneys received from fees collected under ss. 23.27 (3) (b), 29.563 (10) and 341.14 (6r) (b) 5., for the purposes of the endangered resources program, as defined under ~~s.~~ ss. 71.10 (5) (a) 2. and 71.30 (10) (a) 2. Three percent of the moneys certified under ~~s.~~ ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 3. in each fiscal year~~, but not exceed $100,000,~~ and 3% of the fees received under s. 341.14 (6r) (b) 5. in each fiscal year shall be allocated for wildlife damage control and payment of claims for damage associated with endangered or threatened species, except that this combined allocation may not exceed $100,000 per fiscal year.

SECTION 307. 20.370 (1) (hk) of the statutes is created to read:

20.370 **(1)** (hk) *Elk management.* From the general fund, the amounts in the schedule for the costs associated with the management of the elk population in this state and for the costs associated with the transportation of elk brought into the state. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8g. shall be credited to this appropriation account.

SECTION 308. 20.370 (1) (iu) of the statutes is created to read:

20.370 **(1)** (iu) *Gravel pit reclamation.* All moneys received under s. 23.20 to be used to reclaim gravel pits and similar facilities on property under the jurisdiction of the department of natural resources.

SECTION 308k. 20.370 (1) (Lk) of the statutes is created to read:

20.370 **(1)** (Lk) *Wild crane management.* From the general fund, the amounts in the schedule for the study on crop damage by cranes under 1999 Wisconsin Act .... (this act), section 9136 (10m), and for the costs associated with reintroducing whooping cranes into the state. All moneys transferred from the appropriation account

under s. 20.505 (8) (hm) 8i. shall be credited to this appropriation account.

SECTION 308L. 20.370 (1) (Lk) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.370 **(1)** (Lk) *Wild crane management.* From the general fund, the amounts in the schedule for ~~the study on crop damage by cranes under 1999 Wisconsin Act .... (this act), section 9136 (10m) and for~~ the costs associated with reintroducing whooping cranes into the state. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8i. shall be credited to this appropriation account.

SECTION 308m. 20.370 (1) (Lt) of the statutes is created to read:

20.370 **(1)** (Lt) *Wildlife management.* The amounts in the schedule for wildlife management activities in forested areas of this state.

SECTION 309. 20.370 (1) (mt) of the statutes is created to read:

20.370 **(1)** (mt) *Land preservation and management — endowment fund.* From the natural resources land endowment fund, a sum sufficient for preserving, developing, managing or maintaining land as provided in s. 23.0918 (2).

SECTION 309e. 20.370 (1) (mu) of the statutes is amended to read:

20.370 **(1)** (mu) *General program operations — state funds.* The amounts in the schedule for general program operations that do not relate to the management and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29 and for transfers to the appropriation account under s. 20.285 (1) (kf).

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) and (e), 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 311a. 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.

Vetoed In Part

SECTION 311h. 20.370 (2) (hr) of the statutes is created to read:

20.370 **(2)** (hr) *Study of landfill remediation.* From the recycling fund, the amounts in the schedule for the study of landfill remediation under 1999 Wisconsin Act .... (this act), section 9136 (2e). No moneys may be encumbered from this appropriation after June 30, 2000.

Vetoed In Part

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 316m. 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 318g. 20.370 (4) (mt) of the statutes is amended to read:

Vetoed In Part

Vetoed In Part

20.370 **(4)** (mt) *General program operations — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for general program operations under s. 281.58, 281.59, 281.595, 281.60, 281.61 or 281.62.

SECTION 318j. 20.370 (4) (mx) of the statutes is amended to read:

20.370 **(4)** (mx) *General program operations — clean water fund program; federal funds.* As a continuing appropriation, from the clean water fund program federal revolving loan fund account in the environmental improvement fund, the amounts in the schedule for general program operations of the clean water fund program and the urban storm water loan program under ~~s.~~ ss. 281.58 ~~or~~, 281.59 and 281.595.

SECTION 318m. 20.370 (5) (at) of the statutes is created to read:

20.370 **(5)** (at) *Ice age trail area grants.* The amounts in the schedule for the ice age trail area grants under s. 23.295.

SECTION 318o. 20.370 (5) (aw) of the statutes is amended to read:

20.370 **(5)** (aw) *Resource aids — nonprofit conservation organizations.* As a continuing appropriation, the amounts in the schedule for ~~a grant~~ grants to ~~a~~ nonstock, nonprofit ~~corporation~~ corporations under ~~s.~~ ss. 23.0955 (2) and 23.0956 for assistance to nonprofit conservation organizations under ~~s.~~ ss. 23.0955 and 23.0956.

SECTION 318r. 20.370 (5) (ay) of the statutes is created to read:

20.370 **(5)** (ay) *Resource aids — urban land conservation.* The amounts in the schedule for the annual grant to a nonstock, nonprofit corporation under s. 23.0957.

SECTION 318x. 20.370 (5) (bx) of the statutes is amended to read:

20.370 **(5)** (bx) *Resource aids — national forest income aids.* All moneys received from the U.S. government for allotments to ~~counties~~ school districts containing national forest lands~~, and designated for the benefit of public roads in such counties,~~ shall be distributed in proportion to the national forest acreage in each ~~county as certified by the U.S. forest service~~ school district. Such distribution shall be made annually within 60 days after receipt of the money from the federal government.

SECTION 319. 20.370 (5) (by) of the statutes is amended to read:

20.370 **(5)** (by) *Resource aids — fire suppression grants.* The amounts in the schedule for grants for fire suppression clothing, supplies, equipment and vehicles under s. 26.145. ~~No moneys may be encumbered under this paragraph after June 30, 1999.~~

SECTION 319b. 20.370 (5) (cb) of the statutes is created to read:

20.370 **(5)** (cb) *Recreation aids — snowmobile trail and area aids; general fund.* From the general fund, the amounts in the schedule for the purposes specified under s. 350.12 (4) (b).

SECTION 319g. 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin Act 27, section 378no, is amended to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Southeastern Wisconsin Fox River commission under 1997 Wisconsin Act 237, section 9136 (2), and under 1999 Wisconsin Act ..... (this act), section 9136 (10z), for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, for activities relating to aquatic nuisance species under s. 30.1255 (4) and for the engineering and environmental study under s. 31.307.

SECTION 319h. 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin Act 237, section 35, is amended to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Southeastern Wisconsin Fox River commission under 1999 Wisconsin Act ..... (this act), section 9136 (10z), for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198, for activities relating to aquatic nuisance species under s. 30.1255 (4) and for the engineering and environmental study under s. 31.307.

SECTION 319j. 20.370 (5) (cq) of the statutes, as affected by 1999 Wisconsin Act .... (this act), sections 319g and 319h, is repealed and recreated to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage levee system and the Portage canal under s. 31.309, for development of a state park under s. 23.198 and for the engineering and environmental study under s. 31.307.

SECTION 320m. 20.370 (5) (et) of the statutes is repealed.

SECTION 322. 20.370 (5) (fq) of the statutes is amended to read:

20.370 **(5)** (fq) *Wildlife damage claims and abatement.* All moneys received under ss. 29.181 (3), 29.559 (1r) (b) and 29.563 (13) and not appropriated under par. (fr) and sub. (1) (Ls) to provide state aid ~~under~~ for the wildlife damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) (d) ~~and~~, for county administration costs under s. 29.889 (2) (d) and for payments under s. 29.89.

SECTION 322p. 20.370 (6) (aa) of the statutes is amended to read:

20.370 **(6)** (aa) *Environmental aids; nonpoint source.* Biennially, the amounts in the schedule for grants and assistance under the nonpoint source water pollution abatement program under s. 281.65 ~~and for transfers to the appropriation account under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t). Beginning in fiscal year 1999–2000, the department may not expend more than 50% of the funds appropriated under this paragraph in each fiscal year for local assistance~~. The department shall allocate $300,000 in each fiscal year from this appropriation for grants under s. 281.65 (8) (cm).

SECTION 323v. 20.370 (6) (aq) of the statutes is amended to read:

20.370 **(6)** (aq) *Environmental aids — nonpoint source program.* Biennially, from the environmental fund, the amounts in the schedule for nonpoint source grants and assistance under s. 281.65 ~~and for transfers to the appropriation account under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t)~~.

SECTION 324g. 20.370 (6) (ar) of the statutes is amended to read:

20.370 **(6)** (ar) *Environmental aids — lake ~~management grants~~ protection.* From the conservation fund, as a continuing appropriation, the amounts in the schedule for ~~lake management~~ grants and contracts under ~~s.~~ ss. 281.68 and 281.69.

SECTION 324r. 20.370 (6) (as) of the statutes is repealed.

SECTION 325b. 20.370 (6) (au) of the statutes is created to read:

20.370 **(6)** (au) *Environmental aids — river protection; environmental fund.* From the environmental fund, the amounts in the schedule for river protection grants under s. 281.70. Notwithstanding 20.001 (3) (a), on June 30 of each fiscal year the unencumbered balance in this appropriation account shall be transferred to the appropriation account under par. (ar).

SECTION 325m. 20.370 (6) (av) of the statutes is created to read:

20.370 **(6)** (av) *Environmental aids — river protection; conservation fund.* From the conservation fund, the amounts in the schedule for river protection grants and contracts under s. 281.70. Notwithstanding s. 20.001 (3) (a), on June 30 of each fiscal year the unencumbered balance in this appropriation account shall be transferred to the appropriation account under par. (ar).

SECTION 325p. 20.370 (6) (aw) of the statutes is created to read:

20.370 **(6)** (aw) *Environmental aids — river protection, nonprofit organization contracts.* From the conservation fund, as a continuing appropriation, the amounts in the schedule for contracts under s. 281.72.

SECTION 326m. 20.370 (6) (bq) 9. of the statutes is repealed.

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) and (9c).

SECTION 328m. 20.370 (6) (bu) of the statutes is created to read:

20.370 **(6)** (bu) *Financial assistance for responsible units.* From the recycling fund, the amounts in the schedule for grants to responsible units under s. 287.23.

SECTION 329. 20.370 (6) (ck) of the statutes is created to read:

20.370 **(6)** (ck) *Environmental aids — drinking water study.* The amounts in the schedule for the drinking water study under 1999 Wisconsin Act .... (this act), section 9136 (4). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17g. shall be credited to this appropriation account.

SECTION 330. 20.370 (6) (ck) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 331. 20.370 (6) (dk) of the statutes is created to read:

20.370 **(6)** (dk) *Environmental aids — Oneida Nation; Indian gaming.* The amounts in the schedule for nonpoint grants and assistance to the Oneida Nation of Chippewa under s. 281.65. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17e. shall be credited to this appropriation account.

SECTION 331d. 20.370 (6) (dq) of the statutes is created to read:

20.370 **(6)** (dq) *Environmental aids – urban nonpoint source.* From the environmental fund, the amounts in the schedule to provide financial assistance for urban nonpoint source water pollution abatement and storm water management under s. 281.66.

Vetoed In Part

SECTION 331e. 20.370 (6) (dr) of the statutes is created to read:

Vetoed In Part

20.370 **(6)** (dr) *Environmental aids – municipal flood control and riparian restoration.* From the environmental fund, the amounts in the schedule to provide financial assistance for municipal flood control and riparian restoration under s. 281.665.

SECTION 332. 20.370 (6) (eq) of the statutes is amended to read:

20.370 **(6)** (eq) *Environmental aids — dry cleaner environmental response.* ~~From~~ Biennially, from the dry cleaner environmental response fund, the amounts in the schedule for financial assistance under ss. 292.65 and 292.66 and to make transfers required under s. 292.65 (11).

SECTION 332e. 20.370 (6) (er) of the statutes is created to read:

20.370 **(6)** (er) *Environmental aids — sustainable urban development zones.* Biennially, from the environmental fund, the amounts in the schedule for the sustainable urban development zone program under s. 292.77.

Vetoed In Part

SECTION 332m. 20.370 (6) (es) of the statutes is created to read:

20.370 **(6)** (es) *Environmental aids — urban development, conservation fund.* Biennially, from the conservation fund, the amounts in the schedule for the sustainable urban development zone program under s. 292.77.

SECTION 333. 20.370 (6) (et) of the statutes is created to read:

20.370 **(6)** (et) *Environmental aids — brownfield site assessment.* Biennially, from the environmental fund, the amounts in the schedule for brownfield site assessment grants under s. 292.75.

SECTION 333b. 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin Act 27, section 412, is amended to read:

20.370 **(7)** (aa) *Resource acquisition and development — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill under s. 30.203, in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw) ~~and~~, in ~~funding~~ financing the Warren Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta), but not including payments made under ~~sub. (7)~~ pars. (ac) and (au).

SECTION 333bc. 20.370 (7) (aa) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.370 **(7)** (aa) *Resource acquisition and development — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill under s. 30.203, in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw), in financing the Warren Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 20.866 (2) (ta), but not including payments made under par. (ac).

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

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

SECTION 333f. 20.370 (7) (au) of the statutes is created to read:

20.370 **(7)** (au) *State forest acquisition and development — principal repayment and interest.* From the conservation fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition and development for state forests from the appropriations under s. 20.866 (2) (ta) and (tz).

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

SECTION 333n. 20.370 (7) (ce) of the statutes is amended to read:

20.370 **(7)** (ce) *Principal repayment and interest — nonpoint source ~~compliance~~.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing nonpoint source ~~compliance~~ projects under s. 20.866 (2) (tf) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those projects.

SECTION 333p. 20.370 (7) (cf) of the statutes is created to read:

20.370 **(7)** (cf) *Principal repayment and interest — urban nonpoint source cost–sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing cost–sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 20.866 (2) (th) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing those grants.

Vetoed In Part

SECTION 333r. 20.370 (7) (da) of the statutes is created to read:

Vetoed In Part

20.370 **(7)** (da) *Principal repayment and interest — municipal flood control and riparian restoration cost–sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing cost–sharing grants for municipal flood control and riparian restoration projects under s. 20.866 (2) (ti) and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable

Vetoed In Part

to the proceeds of obligations incurred in financing those grants.

SECTION 334. 20.370 (7) (fk) of the statutes is created to read:

20.370 **(7)** (fk) *Resource acquisition and development — service funds; transportation moneys.* All moneys received by the department from the department of transportation for the acquisition of land for, or for construction or development of, facilities, or for materials or services provided by the department, to pay for expenses associated with those facilities, materials or services.

Vetoed In Part

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

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

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 335m. 20.370 (8) (mh) of the statutes is repealed.

SECTION 336. 20.370 (8) (mt) of the statutes is amended to read:

20.370 **(8)** (mt) *Equipment pool operations.* All moneys received by the department from the department or from other state agencies from car, truck, airplane, heavy equipment, information technology or radio pools for operation, maintenance, replacement and purchase of vehicles, equipment, radio services and information technology.

SECTION 337. 20.370 (9) (hk) of the statutes is created to read:

20.370 **(9)** (hk) *Approval fees to Lac du Flambeau band–service funds.* From the general fund, the amounts in the schedule for the purpose of making payments to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r. shall be credited to this appropriation account.

SECTION 338. 20.370 (9) (ht) of the statutes is amended to read:

20.370 **(9)** (ht) *Approval fees to Lac du Flambeau band.* A sum sufficient that is equal to the amount ~~calculated under s. 29.2295 (4) (b), for the purpose of making~~ necessary to make full payments to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) ~~(a)~~ (c) 2.

SECTION 339. 20.370 (9) (hu) of the statutes is amended to read:

20.370 **(9)** (hu) *Handling and other fees.* All moneys received by the department under ~~s.~~ ss. 23.33 (2) (o), 29.556, 30.52 (1m) (e) and 350.12 (3h) (g) for ~~the handling of approvals by the department under s. 29.556~~ licensing, for the issuing and renewing of certificates by the department under ss. 23.33 (2) (i), 30.52 (1m) and 350.12 (3h).

SECTION 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 341h. 20.370 (9) (mt) of the statutes is amended to read:

20.370 **(9)** (mt) *Aids administration — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for the administration of ss. 281.58, ~~280.60~~ 281.595, 281.60, 281.61 and 281.62. Vetoed In Part

Vetoed In Part

SECTION 341k. 20.370 (9) (mx) of the statutes is amended to read:

20.370 **(9)** (mx) *Aids administration — clean water fund program; federal funds.* From the clean water fund program federal revolving loan fund account in the environmental improvement fund, all moneys received from the federal government to administer the clean water fund program and the urban storm water loan program, as authorized by the governor under s. 16.54, for the administration of the clean water fund program and the urban storm water loan program under ~~s.~~ ss. 281.58 ~~or,~~ 281.59 and 281.595.

SECTION 342. 20.380 (1) (b) of the statutes is amended to read:

20.380 **(1)** (b) *Tourism marketing; general purpose revenue.* The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and the grants under 1997 Wisconsin Act 27, section 9148 (2f) and (2x). In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (kg) in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year. Of the amounts under this paragraph, not more than 50% shall be used to match funds allocated under s. 41.17 by private or public organizations for the joint effort marketing of tourism with the state. The department shall expend at least $125,000 in each fiscal year from this appropriation to conduct or contract for marketing activities related to sporting activities and events. Of the amounts in the schedule, $25,000 shall be allocated in each fiscal year for state sponsorship

of, and advertising during, media broadcasts of the Milwaukee symphony. Of the amounts in the schedule, $50,000 shall be allocated in each fiscal year for grants to America's Black Holocaust Museum in the city of Milwaukee.

Vetoed In Part

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

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

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

SECTION 342m. 20.380 (1) (kd) of the statutes is repealed.

SECTION 343. 20.380 (1) (kg) of the statutes is created to read:

20.380 **(1)** (kg) *Tourism marketing; gaming revenue.* All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and for the grants under 1999 Wisconsin Act .... (this act), section 9149 (1to), (2c), (2tw) and (3e). In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (b) in that fiscal year bears to the amount in the schedule for par. (b) for that fiscal year. Of the amounts in the schedule, $200,000 shall be allocated in each fiscal year for grants to the Milwaukee Public Museum for Native American exhibits and activities.

Vetoed In Part

Vetoed In Part

SECTION 343d. 20.380 (1) (km) of the statutes is created to read:

20.380 **(1)** (km) *Tourist information assistant.* The amounts in the schedule to pay for a tourist information assistant. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. shall be credited to this appropriation account.

SECTION 344. 20.395 (1) (cq) of the statutes is amended to read:

20.395 **(1)** (cq) *Elderly and disabled capital aids, state funds.* ~~The~~ As a continuing appropriation, the amounts in the schedule for specialized transportation capital assistance for the elderly and disabled under s. 85.22.

SECTION 344m. 20.395 (1) (hq) of the statutes is amended to read:

20.395 **(1)** (hq) *Tier A transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. This paragraph does not apply after December 31, 1999.

SECTION 345gm. 20.395 (1) (ht) of the statutes is created to read:

20.395 **(1)** (ht) *Tier A–1 transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. cm.

SECTION 345gr. 20.395 (1) (hu) of the statutes is created to read:

20.395 **(1)** (hu) *Tier A–2 transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 6. d.

SECTION 345Lm. 20.395 (2) (cq) of the statutes is amended to read:

20.395 **(2)** (cq) *Harbor assistance, state funds.* As a continuing appropriation, the amounts in the schedule for harbor assistance under s. 85.095 (2) (a) ~~and~~, for administration of the harbor assistance program under s. 85.095 and for grants under 1999 Wisconsin Act .... (this act), section 9150 (4f).

SECTION 345m. 20.395 (2) (ct) of the statutes is created to read:

20.395 **(2)** (ct) *Passenger railroad station improvement grants, state funds.* Biennially, the amounts in the schedule to make passenger railroad station improvement grants under s. 85.055.

SECTION 345n. 20.395 (2) (cu) of the statutes is created to read:

20.395 **(2)** (cu) *Passenger railroad station improvement grants, local funds.* All moneys received from any local unit of government or other sources for passenger railroad station improvements under s. 85.055, for such purposes.

SECTION 346. 20.395 (2) (dq) of the statutes is amended to read:

20.395 **(2)** (dq) *Aeronautics assistance, state funds.* As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ss. 114.34 and 114.35; for developing air marking and other air navigational facilities; for administration of the powers and duties of the secretary of transportation under s. 114.31; for costs associated with aeronautical activities under s. 114.31, except for the program under s. 114.31 (3) (b); and for the administration of other aeronautical activities, except aircraft registration under s. 114.20, authorized by law.

SECTION 346c. 20.395 (2) (ds) of the statutes is created to read:

20.395 **(2)** (ds) *Aviation career education, state funds.* The amounts in the schedule for an aviation career education program under s. 114.31 (3) (b).

SECTION 346m. 20.395 (2) (gr) of the statutes is amended to read:

20.395 **(2)** (gr) *Railroad crossing improvement and protection installation, state funds.* As a continuing appropriation, the amounts in the schedule to pay the costs for railroad crossing protection improvements under s. 195.28 (2) and for the installation of railroad

crossing gates under 1999 Wisconsin Act .... (this act), section 9150 (9g).

SECTION 346q. 20.395 (2) (gx) of the statutes is amended to read:

20.395 **(2)** (gx) *Railroad crossing improvement, federal funds.* All moneys received from the federal government for the purposes of railroad crossing protection under s. 195.28 and for the purposes of railroad crossing gates under 1999 Wisconsin Act .... (this act), section 9150 (9g), for such purposes.

Vetoed In Part

SECTION 346t. 20.395 (2) (jx) of the statutes is amended to read:

20.395 **(2)** (jx) *Surface transportation grants, federal funds.* All moneys received from the federal government for purposes of surface transportation discretionary grants under s. 85.243, other than grants for the planning, design and construction of bicycle and pedestrian facilities, for such purposes.

SECTION 346w. 20.395 (2) (kx) of the statutes is amended to read:

20.395 **(2)** (kx) *Congestion mitigation and air quality improvement, federal funds.* All moneys received from the federal government for the purposes of congestion mitigation and air quality improvement under s. 85.245, other than for the planning, design and construction of bicycle and pedestrian facilities, for such purposes.

SECTION 346y. 20.395 (2) (nx) of the statutes is amended to read:

20.395 **(2)** (nx) *Transportation enhancement activities, federal funds.* All moneys received from the federal government for purposes of transportation enhancement activities under s. 85.026 ~~and for grants under s. 85.024~~, other than for the planning, design and construction of bicycle and pedestrian facilities, for such purposes.

SECTION 347. 20.395 (2) (ny) of the statutes is created to read:

20.395 **(2)** (ny) *Milwaukee lakeshore walkway, federal funds.* Biennially, from the moneys received from the federal government under P.L. 102–240, section 1045, and P.L. 105–277, section 373, the amounts in the schedule for the purpose of awarding grants under 1999 Wisconsin Act .... (this act), section 9150 (3). No moneys may be encumbered under this paragraph after June 30, 2002.

Vetoed In Part

SECTION 347d. 20.395 (2) (ox) of the statutes is created to read:

20.395 **(2)** (ox) *Bicycle and pedestrian facilities grants, federal funds.* All federal moneys received for the purposes of awarding grants and funding projects for the planning, design or construction of bicycle and pedestrian facilities under ss. 85.024, 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m), for such purposes.

SECTION 348. 20.395 (3) (cq) of the statutes is amended to read:

20.395 **(3)** (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at–grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); ~~and~~ for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act .... (this act), section 9250 (1); and for the purposes described under 1999 Wisconsin Act .... (this act), section 9150 (7e) and (8g).

Vetoed In Part

SECTION 349. 20.395 (3) (eq) of the statutes is amended to read:

20.395 **(3)** (eq) *Highway maintenance, repair and traffic operations, state funds.* Biennially, the amounts in the schedule for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; ~~for the grant under 1997 Wisconsin Act 27, section 9149 (3d)~~ for the scenic byway program under s. 84.106; and for the disadvantaged business demonstration and training program under s. 84.076. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 350. 20.395 (3) (ev) of the statutes is amended to read:

20.395 **(3)** (ev) *Highway maintenance, repair and traffic operations, local funds.* All moneys received from any local unit of government or other sources for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for signing under s. 86.195; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; for the scenic byway program under s. 84.106; and for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 351. 20.395 (3) (ex) of the statutes is amended to read:

20.395 **(3)** (ex) *Highway maintenance, repair and traffic operations, federal funds.* All moneys received from the federal government for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; for the scenic byway program under s. 84.106; and for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

Vetoed In Part

SECTION 351g. 20.395 (3) (gq) of the statutes is created to read:

20.395 **(3)** (gq) *Intelligent transportation systems, state funds.* The amounts in the schedule for intelligent transportation systems under s. 84.014.

SECTION 351h. 20.395 (3) (gv) of the statutes is created to read:

20.395 **(3)** (gv) *Intelligent transportation systems, local funds.* All moneys received from any local unit of government for purposes of intelligent transportation systems under s. 84.014, for such purposes.

SECTION 351j. 20.395 (3) (gx) of the statutes is created to read:

20.395 **(3)** (gx) *Intelligent transportation systems, federal funds.* All moneys received from the federal government for purposes of intelligent transportation systems under s. 84.014, for such purposes.

SECTION 352. 20.395 (3) (ix) of the statutes is amended to read:

20.395 **(3)** (ix) *Administration and planning, federal funds.* All moneys received from the federal government for the administration and planning of departmental programs under subs. (1) to (3) and to transfer to the appropriation account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z).

SECTION 352m. 20.395 (4) (as) of the statutes is repealed.

SECTION 354. 20.395 (4) (bh) of the statutes is repealed.

SECTION 355. 20.395 (5) (cq) of the statutes is amended to read:

20.395 **(5)** (cq) *Vehicle registration, inspection and maintenance ~~and~~, driver licensing and aircraft registration, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program, including the traffic violation and registration program and the driver license reinstatement training program under s. 85.28, for administering the motor vehicle emission inspection and maintenance program under s. 110.20, for the training of inspectors under s. 110.22, for administering the fuel tax and fee reporting program under s. 341.45, for administering the aircraft registration program under s. 114.20 and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services.

SECTION 356. 20.395 (5) (di) of the statutes is amended to read:

20.395 **(5)** (di) *Chemical testing training and services, state funds.* From the general fund, the amounts in the schedule for the chemical testing training and services provided by the state traffic patrol. All moneys transferred from the appropriation account under s. 20.435 (6) (hx) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance in this appropriation account on June 30 of each year shall be transferred to the appropriation account under s. 20.435 (6) (hx).

SECTION 357. 20.395 (5) (dL) of the statutes is created to read:

20.395 **(5)** (dL) *Public safety radio management, state funds.* From the general fund, all moneys received for purposes related to the statewide public safety radio management program under s. 85.12, other than moneys credited to the appropriation account under par. (dk), for that purpose.

SECTION 358. 20.395 (5) (dq) of the statutes is amended to read:

20.395 **(5)** (dq) *Vehicle inspection, traffic enforcement and radio management, state funds.* The amounts in the schedule for administering the ambulance inspection program under s. 341.085, the statewide public safety radio management program under s. 85.12 ~~and~~, the vehicle inspection and traffic enforcement programs and transfers under s. 85.32.

SECTION 358m. 20.395 (9) (td) of the statutes is amended to read:

20.395 **(9)** (td) *Real estate major cost carry–over.* ~~When~~ Subject to s. 86.255, when a highway, airport or railroad land acquisition project is approved by the secretary under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from subs. (2) (bq), (dq) and (eq) and (3) (bq), (cq) and (eq) may be considered encumbered.

SECTION 359. 20.410 (1) (ac) of the statutes is repealed.

Vetoed In Part

SECTION 359g. 20.410 (1) (gi) of the statutes is amended to read:

20.410 **(1)** (gi) *General operations.* The amounts in the schedule to operate institutions and provide field services and administrative services. All moneys received under ~~s. 303.01 (8) that are attributable to moneys collected from earnings of inmates and residents under s. 303.01 (2) (em) and all moneys received under~~ ss. 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation account.

SECTION 359r. 20.410 (1) (hm) of the statutes is repealed.

SECTION 360. 20.410 (1) (jp) of the statutes is renumbered 20.410 (1) (kp) and amended to read:

20.410 **(1)** (kp) *Correctional officer training.* The amounts in the schedule to finance correctional officers training under s. 301.28. All moneys ~~received from the penalty assessment surcharge on court fines and forfeitures as allocated~~ transferred from the appropriation account under s. ~~165.87 (1)~~ 20.505 (6) (j) 6. shall be credited to this appropriation account.

SECTION 361d. 20.410 (1) (kh) of the statutes is created to read:

20.410 **(1)** (kh) *Victim services and programs.* The amounts in the schedule for the administration of victim services and programs. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 5m. shall be credited to this appropriation account.

Vetoed In Part

SECTION 361m. 20.410 (1) (km) of the statutes is amended to read:

20.410 **(1)** (km) *Prison industries.* The amounts in the schedule for the establishment and operation of prison industries~~, but not including the program under s. 303.01 (2) (em)~~. All moneys received from prison industries sales shall be credited to this appropriation. All moneys credited to this appropriation shall be expended first for the purpose under par. (ko). No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon approval of the joint committee on finance after a determination that the moneys are needed and that no other appropriation is available for that purpose.

SECTION 362m. 20.410 (1) (kw) of the statutes is repealed.

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

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

SECTION 363n. 20.410 (3) (ba) of the statutes is created to read:

20.410 **(3)** (ba) *Mendota juvenile treatment center.* The amounts in the schedule for services for juveniles placed at the Mendota Juvenile Treatment Center as provided in s. 46.057 (2).

SECTION 363np. 20.410 (3) (bb) of the statutes is created to read:

20.410 **(3)** (bb) *Juvenile boot camp program.* The amounts in the schedule to operate the juvenile boot camp program under s. 938.532.

SECTION 364d. 20.410 (3) (cg) of the statutes is amended to read:

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

SECTION 365. 20.410 (3) (hm) of the statutes is amended to read:

20.410 **(3)** (hm) *Juvenile correctional services.* Except as provided in pars. (ho) and (hr), the amounts in the schedule for juvenile correctional services specified in s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus property, including vehicles, from juvenile correctional institutions operated by the department, all moneys received as payments in restitution of property damaged at juvenile correctional institutions operated by the department, all moneys received from miscellaneous services provided at a juvenile correctional institution operated by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in par. (hr), all moneys received in payment for juvenile correctional services specified in s. 301.26 (4) (d) ~~and~~, (dt) and (g) shall be credited to this appropriation account. If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year institutional costs, other than the cost of operating the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys in excess of that 2% shall be remitted to the counties during the subsequent calendar year or transferred to the appropriation account under par. (kx) during the subsequent fiscal year. Each county and the department shall receive a proportionate share of the remittance and transfer depending on the total number of days of placement at juvenile correctional institutions including the Mendota Juvenile Treatment Center. Counties shall use the funds for purposes specified in s. 301.26. The department shall deposit in the general fund the amounts transferred under this paragraph to the appropriation account under par. (kx).

SECTION 367. 20.410 (3) (kj) of the statutes is amended to read:

20.410 **(3)** (kj) *Youth diversion program.* ~~Biennially, the~~ The amounts in the schedule for youth diversion services under s. 301.265 (1) and (3). All moneys transferred from the appropriation account under s. 20.505 (6) ~~(g)~~ (j) 8. shall be credited to this appropriation account.

SECTION 367m. 20.425 (1) (h) of the statutes is amended to read:

20.425 **(1)** (h) *Collective bargaining training.* The amounts in the schedule for the cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3). All mon-

eys received from arbitrators and arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, ~~for the cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3)~~ shall be credited to this appropriation account.

SECTION 368g. 20.425 (1) (ka) of the statutes is repealed.

SECTION 368m. 20.432 (1) (kc) of the statutes is repealed.

Vetoed In Part

SECTION 368r. 20.433 (1) (h) of the statutes is amended to read:

20.433 **(1)** (h) *Grants to organizations.* All moneys received under s. 69.22 (1) (c), except the amounts appropriated under s. 20.435 (5) (jk), less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4), (6) and (7).

SECTION 368s. 20.433 (1) (h) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.433 **(1)** (h) *Grants to organizations.* All moneys received under s. 69.22 (1) (c)~~, except the amounts appropriated under s. 20.435 (5) (jk)~~, less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4), (6) and (7).

SECTION 369d. 20.433 (1) (q) of the statutes is amended to read:

20.433 **(1)** (q) *Children's trust fund grants.* From the children's trust fund, all moneys received as contributions, grants, gifts and bequests for that trust fund under s. 48.982 (2) (d) or (2e) (a), other than moneys received under s. 341.14 (6r) (b) 6., and all interest earned on moneys received under s. 341.14 (6r) (b) 6., less the amounts appropriated under par. (r), to carry out the purposes for which made and received under s. 48.982 (2m) (a).

SECTION 370g. 20.434 (1) (ka) of the statutes is repealed.

SECTION 370m. 20.434 (1) (kp) of the statutes is created to read:

20.434 **(1)** (kp) *Interagency and intra–agency programs.* All moneys received from other state agencies for the administration of the adolescent pregnancy prevention programs and pregnancy services under s. 46.93, for that purpose.

SECTION 371. 20.434 (1) (ky) of the statutes is created to read:

20.434 **(1)** (ky) *Interagency and intra–agency aids; pregnancy prevention and services.* All moneys received from other state agencies and all moneys received by the board from the board for providing grants under s. 46.93 (2), for such purposes.

SECTION 372. 20.435 (1) (title) of the statutes is amended to read:

20.435 **(1)** (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; STATE OPERATIONS.

SECTION 373. 20.435 (1) (a) of the statutes is amended to read:

20.435 **(1)** (a) *General program operations.* The amounts in the schedule for general program operations, including public health services regulation, administration and field services.

SECTION 374. 20.435 (1) (bm) of the statutes is renumbered 20.435 (4) (bm) and amended to read:

20.435 **(4)** (bm) *Medical assistance administration.* Biennially, the amounts in the schedule to provide the state share of administrative contract costs for the medical assistance program under ss. 49.45 and 49.665, to reimburse insurers for their costs under s. 49.475 ~~and~~, for costs associated with outreach activities and for services of resource centers under s. 46.283. No state positions may be funded in the department of health and family services from this appropriation, except positions for the performance of duties under a contract in effect before January 1, 1987, related to the administration of the medical assistance program between the subunit of the department primarily responsible for administering the medical assistance program and another subunit of the department. Total administrative funding authorized for the program under s. 49.665 may not exceed 10% of the amounts budgeted under ~~sub. (5)~~ pars. (bc) and (p).

SECTION 375. 20.435 (1) (cg) of the statutes is repealed.

SECTION 376. 20.435 (1) (gm) of the statutes is amended to read:

20.435 **(1)** (gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8), 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) and ch. ~~150~~ 69, for the purchase and distribution of medical supplies and to analyze and provide data under s. 250.04. All moneys received under ss. 146.50 (5) (f), (8) (d)~~, 150.13~~, 250.04 (3m), 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) (b) and ch. 69 and as reimbursement for medical supplies shall be credited to this appropriation account. ~~From the fees collected under s. 50.135 (2), $444,700 in fiscal year 1997–98 and $451,600 in fiscal year 1998–99 shall be credited to this appropriation account.~~

SECTION 377d. 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp) and amended to read:

20.435 **(4)** (gp) *Health care and graduate medical education; aids.* All moneys received under s. 146.99, to be first used for a grant under 1999 Wisconsin Act .... (this act), section 9123 (12m), and, of the remaining amounts, 50% to be used in each fiscal year for purchase of primary health care services under s. 146.93 and 50% to be used in each fiscal year for graduate medical educa-

tion payments for training of providers under the medical assistance program under ss. 49.45 to 49.499.

SECTION 378. 20.435 (1) (hg) of the statutes is renumbered 20.435 (4) (hg).

SECTION 379. 20.435 (1) (hi) of the statutes is renumbered 20.435 (4) (hi).

SECTION 380. 20.435 (1) (in) of the statutes is renumbered 20.435 (4) (in).

SECTION 381. 20.435 (1) (j) of the statutes is repealed.

SECTION 382. 20.435 (1) (km) of the statutes is repealed.

SECTION 383. 20.435 (1) (kx) of the statutes is amended to read:

20.435 **(1)** (kx) *Interagency and intra–agency programs.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under ~~par. (km) or~~ sub. (6) (k) for the administration of programs or projects for which received.

SECTION 384. 20.435 (1) (p) of the statutes is renumbered 20.435 (4) (pa) and amended to read:

20.435 **(4)** (pa) *Federal aid; medical assistance contracts administration.* All federal moneys received for the federal share of the cost of contracting for payment and services administration and reporting, ~~and~~ to reimburse insurers for their costs under s. 49.475 and for services of resource centers under s. 46.283.

SECTION 386b. 20.435 (1) (u) of the statutes is renumbered 20.435 (4) (u) and amended to read:

20.435 **(4)** (u) *Health insurance risk–sharing plan; administration.* ~~The~~ Biennially, from the health insurance risk–sharing plan fund, the amounts in the schedule ~~from the health insurance risk–sharing plan fund~~ for the administration of ch. 149, subject to s. 149.143 (2m).

SECTION 387g. 20.435 (2) (a) of the statutes is amended to read:

20.435 **(2)** (a) *General program operations.* The amounts in the schedule to operate institutions, to provide administrative services and to evaluate, treat and care for persons under ch. 980, including persons placed on supervised release under s. 980.06 (2), 1997 stats., or s. 980.08.

SECTION 387m. 20.435 (2) (bj) of the statutes is amended to read:

20.435 **(2)** (bj) *Conditional and supervised release treatment and services.* Biennially, the amounts in the schedule for payment by the department of costs for treatment and services for persons released under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4) (e)~~, 980.06 (2) (c)~~ or 980.08 (5), for which the department has contracted with county departments under s. 51.42 (3) (aw) 1. d., with other public agencies or with private agencies to provide the treatment and services.

SECTION 388m. 20.435 (2) (bm) of the statutes is amended to read:

20.435 **(2)** (bm) *Secure mental health units or facilities.* The amounts in the schedule for the general program operations of secure mental health units or facilities under s. 980.065 for persons committed ~~to institutional care~~ under s. 980.06 ~~(2) (b)~~ and placed in a secure mental health unit or facility.

SECTION 389. 20.435 (2) (gk) of the statutes is amended to read:

20.435 **(2)** (gk) *Institutional operations and charges.* The amounts in the schedule for care provided by the centers for the developmentally disabled to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care provided by the mental health institutes, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of state–owned housing at centers for the developmentally disabled and mental health institutes; for repair or replacement of property damaged at the mental health institutes or at centers for the developmentally disabled; and for reimbursing the total cost of using, producing and providing services, products and care. All moneys received as payments from medical assistance on and after August 1, 1978; as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical assistance payments, other payments under s. 46.10 and payments under s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments under s. ~~51.07 (4)~~ 46.043; as payments for the rental of state–owned housing and other institutional facilities at centers for the developmentally disabled and mental health institutes; for the sale of electricity, steam or chilled water; as payments in restitution of property damaged at the mental health institutes or at centers for the developmentally disabled; for the sale of surplus property, including vehicles, at the mental health institutes or at centers for the developmentally disabled; and for other services, products and care shall be credited to this appropriation, except that any payment under s. 46.10 received for the care or treatment of patients admitted under s. 51.10, 51.15 or 51.20 for which the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9) (d) or (e) for which the state is liable under s. 55.05 (1), of forensic patients committed under ch. 971 or 975, admitted under ch. 975 or transferred under s. 51.35 (3) or of patients transferred from a state prison under s. 51.37 (5), to Mendota mental health institute or Winnebago mental health institute shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4).

SECTION 390. 20.435 (3) (bc) of the statutes is created to read:

20.435 **(3)** (bc) *Grants for children's community programs.* The amounts in the schedule for grants for children's community programs under s. 46.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All moneys under this appropriation account that are distributed under s. 46.481 but are not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 390d. 20.435 (3) (bm) of the statutes is created to read:

20.435 **(3)** (bm) *Services for children and families.* A sum sufficient, equal to the amount determined under s. 77.63 (2), for grants to counties under s. 46.513.

SECTION 390m. 20.435 (3) (cz) of the statutes is repealed.

SECTION 391g. 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, for the cost of providing, or contracting with private adoption agencies to assist the department in providing, services to children with special needs who are under the guardianship of the department to prepare those children for adoption and for the cost of providing postadoption services to children with special needs who have been adopted.

SECTION 392. 20.435 (3) (dg) of the statutes is amended to read:

20.435 **(3)** (dg) *State adoption information exchange and state adoption center.* The amounts in the schedule to operate a state adoption information exchange ~~under s. 48.55~~ and a state adoption center under s. ~~48.551~~ 48.55.

SECTION 393. 20.435 (3) (dr) of the statutes is repealed.

SECTION 394. 20.435 (3) (eg) of the statutes is amended to read:

20.435 **(3)** (eg) ~~*Programs for adolescents and adolescent parents*~~ *Adolescent services.* The amounts in the schedule ~~for the provision of adolescent self–sufficiency and pregnancy prevention programs under s. 46.995, for~~ to provide adolescent services under s. 46.996 and for adolescent choices project grants under s. 46.997 (2).

SECTION 395. 20.435 (3) (eg) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.435 **(3)** (eg) *Brighter futures initiative and tribal adolescent services.* The amounts in the schedule for the brighter futures initiative under s. 46.99 and for tribal adolescent services under s. 46.995.

SECTION 396. 20.435 (3) (fm) of the statutes is repealed.

SECTION 397. 20.435 (3) (i) of the statutes is repealed and recreated to read:

20.435 **(3)** (i) *Gifts and grants.* All moneys not appropriated under par. (gb) that are received from gifts, grants, donations and burial trusts for the execution of the department's functions relating to children and family services consistent with the purpose of the gifts, grants, donations or trusts.

SECTION 397g. 20.435 (3) (kc) of the statutes is amended to read: **Vetoed In Part**

20.435 **(3)** (kc) *Interagency and intra–agency aids; kinship care and long–term kinship care.* The amounts in the schedule for payments under s. 48.57 (3m) ~~and~~, (3n) and (3o). All moneys transferred from the appropriation account under s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) (ky).

SECTION 397m. 20.435 (3) (km) of the statutes is created to read:

20.435 **(3)** (km) *Federal block grant transfer; aids.* The amounts in the schedule for the grants under ss. 46.95 (2) and 49.175 (1) (ze) 4. All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account. **Vetoed In Part**

SECTION 397r. 20.435 (3) (km) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

20.435 **(3)** (km) *Federal block grant transfer; aids.* The amounts in the schedule for grants under ss. 46.95 (2), 46.99 (2) (a), 46.995 (2), (3) (b) and (4m) (b) and 49.175 (1) (ze) 4. All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account. **Vetoed In Part**

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 399g. 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), the cost of providing, or contracting with private adoption agencies to assist the department in providing, services to children with special needs who are under the guardianship of the department to prepare those children for adoption and the cost of providing postadoption services to children with special needs who have been adopted. Dis-

bursements 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 405h. 20.435 (4) (gp) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (gp) *Health care and graduate medical education; aids.* All moneys received under s. 146.99, ~~to be first used for a grant under 1999 Wisconsin Act .... (this act), section 9123 (12m), and, of the remaining amounts,~~ 50% to be used in each fiscal year for purchase of primary health care services under s. 146.93 and 50% to be used in each fiscal year for graduate medical education payments for training of providers under the medical assistance program under ss. 49.45 to 49.499.

SECTION 406. 20.435 (4) (h) of the statutes is created to read:

20.435 **(4)** (h) *General assistance medical program; intergovernmental transfer.* The amounts in the schedule to provide supplemental payments to eligible health care providers that contract with Milwaukee County to provide health care services funded by a relief block grant under s. 49.025. All moneys received from Milwaukee County for this purpose shall be credited to this appropriation account.

SECTION 407. 20.435 (4) (i) of the statutes is created to read:

20.435 **(4)** (i) *Gifts and grants; health care financing.* All moneys received from gifts, grants, bequests and trust funds to provide health care financing consistent with the purpose of the gift, grant, bequest or trust fund.

SECTION 408. 20.435 (4) (kx) of the statutes is created to read:

20.435 **(4)** (kx) *Interagency and intra–agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs or projects, for the purposes for which received.

SECTION 409. 20.435 (4) (ky) of the statutes is created to read:

20.435 **(4)** (ky) *Interagency and intra–agency aids.* All moneys received from other state agencies, including moneys transferred from s. 20.505 (8) (hm) 7., and all moneys received by the department from the department for aids to individuals and organizations, for the purpose of providing those aids.

SECTION 410. 20.435 (4) (kz) of the statutes is created to read:

20.435 **(4)** (kz) *Interagency and intra–agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department for local assistance, for the purpose of providing that assistance.

SECTION 411. 20.435 (4) (m) of the statutes is created to read:

20.435 **(4)** (m) *Federal project operations.* All moneys received from the federal government or any of its agencies for the state administration of specific limited term projects, to be expended for the purposes specified.

SECTION 412. 20.435 (4) (ma) of the statutes is created to read:

20.435 **(4)** (ma) *Federal project aids.* All moneys received from the federal government or any of its agencies for specific limited term projects of aids to individuals or organizations, to be expended for the purposes specified.

SECTION 413. 20.435 (4) (md) of the statutes is created to read:

20.435 **(4)** (md) *Federal block grant aids.* All block grant moneys received from the federal government or

any of its agencies for aids to individuals or organizations, other than for specific limited term projects and continuing programs, to be expended for the purposes specified.

SECTION 414. 20.435 (4) (n) of the statutes is created to read:

20.435 **(4)** (n) *Federal program operations.* All moneys received from the federal government or any of its agencies for the state administration of continuing programs, to be expended for the purposes specified.

SECTION 415. 20.435 (4) (na) of the statutes is created to read:

20.435 **(4)** (na) *Federal program aids.* All moneys received from the federal government or any of its agencies for continuing programs of aids to individuals or organizations, to be expended for the purposes specified.

SECTION 415g. 20.435 (4) (v) of the statutes is created to read:

20.435 **(4)** (v) *Health insurance risk–sharing plan; program benefits.* All moneys received by the health insurance risk–sharing plan fund, except for moneys appropriated under par. (u), for the operating costs of the health insurance risk–sharing plan under ch. 149, subject to s. 149.143 (2m).

SECTION 416. 20.435 (5) (title) of the statutes is amended to read:

20.435 **(5)** (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; AIDS AND LOCAL ASSISTANCE.

SECTION 417c. 20.435 (5) (af) of the statutes is renumbered 20.435 (4) (af) and amended to read:

20.435 **(4)** (af) *Health insurance risk–sharing plan; transfer to fund for costs.* The amounts in the schedule to be paid into the health insurance risk–sharing plan fund for paying a portion of the operating costs of the health insurance risk–sharing plan under ch. 149.

SECTION 418c. 20.435 (5) (ah) of the statutes is renumbered 20.435 (4) (ah) and amended to read:

20.435 **(4)** (ah) *Health insurance risk–sharing plan; transfer to fund for premium and deductible reduction subsidy.* Biennially, the amounts in the schedule to be paid into the health insurance risk–sharing plan fund for the purpose of subsidizing premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a).

SECTION 418g. 20.435 (5) (am) of the statutes is amended to read:

20.435 **(5)** (am) *Services, reimbursement and payment related to acquired immunodeficiency syndrome.* The amounts in the schedule for the purchase of services under s. 252.12 (2) (a) for individuals with respect to acquired immunodeficiency syndrome and related infections, to subsidize premium payments under ss. 252.16 and 252.17, for HIV prevention grants under s. 252.12 (2) (c) 2. and 3. and to reimburse or supplement the reimbursement of the cost of AZT, pentamidine and certain other drugs under s. 49.686.

SECTION 419. 20.435 (5) (b) of the statutes is renumbered 20.435 (4) (b) and amended to read:

20.435 **(4)** (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to provide medical assistance program benefits administered under s. 49.45 that are not also provided under par. (o) ~~and~~, to fund the pilot project under s. 46.27 (9) and (10), to provide the facility payments under 1999 Wisconsin Act .... (this act), section 9123 (9m), to fund services provided by resource centers under s. 46.283 and for services under the family care benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

SECTION 420. 20.435 (5) (bc) of the statutes is renumbered 20.435 (4) (bc).

SECTION 421. 20.435 (5) (bs) of the statutes is renumbered 20.435 (4) (bs).

SECTION 422. 20.435 (5) (bt) of the statutes is renumbered 20.435 (4) (bt) and amended to read:

20.435 **(4)** (bt) *Relief block grants to counties ~~with a population of 500,000 or more~~.* The amounts in the schedule for relief block grants to counties under ~~s.~~ ss. 49.025 ~~to counties with a population of 500,000 or more~~ and 49.027.

SECTION 423. 20.435 (5) (bu) of the statutes is repealed.

SECTION 425. 20.435 (5) (cm) of the statutes is amended to read:

20.435 **(5)** (cm) *Immunization.* A sum sufficient not to exceed in fiscal year ~~1997–98~~ 1999–2000 the difference between ~~$8,550,700~~ $9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year ~~1997–98~~ 1999–2000 and not to exceed in fiscal year ~~1998–99~~ 2000–01 the difference between ~~$8,776,400~~ $9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year ~~1998–99~~ 2000–01 for the provision of vaccine to immunize children under s. 252.04 (1).

SECTION 426. 20.435 (5) (d) of the statutes is renumbered 20.435 (4) (d).

SECTION 427. 20.435 (5) (e) of the statutes is amended to read:

20.435 **(5)** (e) ~~*Disease aids*~~ *Public health dispensaries and drugs.* Biennially, the amounts in the schedule for ~~assisting~~ establishing and maintaining public health dispensaries for victims of diseases and for the provision of drugs for the treatment of mycobacterium tuberculosis, 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 by the department.

SECTION 428. 20.435 (5) (ed) of the statutes is amended to read:

20.435 **(5)** (ed) *Radon aids.* The amounts in the schedule for the provision of state aid for local radon services under s. 254.34 ~~(4)~~ (1) (h) 5.

SECTION 430. 20.435 (5) (ek) of the statutes is renumbered 20.435 (5) (ke) and amended to read:

20.435 **(5)** (ke) *Cooperative American Indian health projects.* The amounts in the schedule for grants for cooperative American Indian health projects under s. 146.19. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18b. shall be credited to this appropriation account.

SECTION 432g. 20.435 (5) (fh) of the statutes is created to read:

20.435 **(5)** (fh) *Community health services.* The amounts in the schedule for the minority health program under s. 146.185 and for grants under s. 250.15.

SECTION 433d. 20.435 (5) (gh) of the statutes is repealed.

SECTION 434. 20.435 (5) (im) of the statutes is renumbered 20.435 (4) (im).

Vetoed In Part

SECTION 434r. 20.435 (5) (jk) of the statutes is created to read:

20.435 **(5)** (jk) *Newborn hearing screening programs.* From all moneys received under s. 69.22 (1) (c), the first $2 of each fee paid, to be used for newborn hearing screening program grants under s. 253.115 (4) (a).

SECTION 434s. 20.435 (5) (jk) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

20.435 **(5)** (jk) *Newborn hearing screening programs.* From all moneys received under s. 69.22 (1) (c), the first $2 of each fee paid, to be used for newborn hearing screening program grants under s. 253.115 (4) ~~(a)~~ (b).

SECTION 434t. 20.435 (5) (jk) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 435. 20.435 (5) (jz) of the statutes is renumbered 20.435 (4) (jz).

SECTION 436. 20.435 (5) (ky) of the statutes is amended to read:

20.435 **(5)** (ky) *Interagency and intra–agency aids.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under sub. ~~(1) (km) or~~ (6) (k) for aids to individuals and organizations.

SECTION 437. 20.435 (5) (kz) of the statutes is amended to read:

20.435 **(5)** (kz) *Interagency and intra–agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under ~~par.~~ sub. ~~(1) (km) or~~ (6) (k) for local assistance.

SECTION 438. 20.435 (5) (o) of the statutes is renumbered s. 20.435 (4) (o) and amended to read:

20.435 **(4)** (o) *Federal aid; medical assistance.* All federal moneys received for meeting costs of medical assistance administered under ss. 46.284 (5), 49.45 and 49.665, to be used for those purposes.

SECTION 439. 20.435 (5) (p) of the statutes is renumbered 20.435 (4) (p).

SECTION 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 trans-

ferred 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.

Vetoed In Part

SECTION 445g. 20.435 (6) (kd) of the statutes is created to read:

20.435 **(6)** (kd) *Rehabilitation teaching administration.* All moneys transferred from the appropriation under s. 20.155 (1) (q) to provide administrative services under the rehabilitation teaching program for blind and visually impaired persons under s. 46.293, for that purpose.

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 446m. 20.435 (7) (bc) of the statutes is amended to read:

20.435 **(7)** (bc) *Grants for community programs.* The amounts in the schedule for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department of health and family services may credit or deposit into this appropriation funds for the purpose specified in s. 46.48 (13) that the department transfers from the appropriation under par. (bL) that are allocated by the department under that appropriation but unexpended or unencumbered on June 30 of each year. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but 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. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), there is transferred at the end of the 1999–2000 fiscal year to the appropriation account for the department of workforce development under s. 20.445 (3) (dz) the difference between $5,000,000 and the amounts that are expendable and encumbered under 1999 Wisconsin Act .... (this act), section 9223 (3c).

SECTION 447. 20.435 (7) (bd) of the statutes is amended to read:

20.435 **(7)** (bd) *Community options program ~~and long–term support~~; pilot projects; family care benefit.* The amounts in the schedule for assessments, case planning, services ~~and~~, administration and risk reserve escrow accounts under s. 46.27 ~~and~~, for pilot projects under s. 46.271 (1)~~, and the amounts carried forward under 1997 Wisconsin Act 27, section 9123 (2), for the~~

~~pilot project under s. 46.271 (2m)~~, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5) and for the payment of premiums under s. 49.472 (5). If the department transfers funds to this appropriation from the appropriation account under sub. ~~(5)~~ (4) (b), the amounts in the schedule for the fiscal year for which the transfer is made are increased by the amount of the transfer for the purposes specified in s. 49.45 (6v). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this paragraph transfer moneys between fiscal years. Except for moneys authorized for transfer under this appropriation~~,~~ or under s. 46.27 (7) (fm) or (g) ~~or under 1997 Wisconsin Act 27, section 9123 (2)~~, all moneys under this appropriation that are allocated under s. 46.27 and are not spent or encumbered by counties or by the department by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 447d. 20.435 (7) (br) of the statutes is created to read:

20.435 **(7)** (br) *Respite care.* The amounts in the schedule for the respite care program under s. 46.986.

SECTION 448. 20.435 (7) (cp) of the statutes is repealed.

SECTION 449. 20.435 (7) (dh) of the statutes is amended to read:

20.435 **(7)** (dh) *Programs for senior citizens ~~and~~ ; elder abuse services; benefit specialist program.* The amounts in the schedule for the programs for senior citizens, including but not limited to the purpose of distributing funds under s. 46.80 (2m) (b) to supplement any federal foster grandparent project funds received under 42 USC 5011 (a) and the purposes of ss. 46.80 (5) and 46.85~~, and~~; for direct services for elder persons and other individuals under s. 46.90 (5m); and for the benefit specialist program for older persons under s. 46.81. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. All funds allocated under ss. 46.80 (2m) (b) and (5), 46.81 (2) and 46.85 but not encumbered by December 31 of each year lapse to the general fund on the next January 1, unless transferred to the next calendar year by the joint committee on finance, but the department may carry forward funds allocated under s. 46.90 (5m) that are not encumbered by June 30 of each year for allocation under s. 46.90 (5m) in the following state fiscal year. For the purposes of this paragraph, funds are encumbered by December 31 if allocated for services received or for goods ordered by December 31.

SECTION 450. 20.435 (7) (dj) of the statutes is repealed.

SECTION 451. 20.435 (7) (dL) of the statutes is renumbered 20.435 (7) (kL) and amended to read:

20.435 **(7)** (kL) *Indian aids.* The amounts in the schedule to facilitate delivery of social services and mental hygiene services to American Indians under s. 46.70. ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between state fiscal years under this paragraph. All funds allocated under s. 46.70 but not spent or encumbered by September 30 of each year lapse to the general fund on the next October 1, unless transferred to the next federal fiscal year by the joint committee on finance. For the purposes of this paragraph, funds are encumbered by September 30 if allocated for services received or for goods ordered by September 30~~ 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 456m. 20.435 (8) (ka) of the statutes is repealed.

Vetoed In Part

SECTION 456r. 20.435 (8) (mb) of the statutes is amended to read:

20.435 **(8)** (mb) *Income augmentation services receipts.* All moneys that are received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v as the result of income augmentation activities ~~for which the state has contracted~~ performed by the department under s. 46.46, to be used as provided in s. 46.46.

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 457m. 20.436 of the statutes is created to read:

20.436 Tobacco control board. There is appropriated from the tobacco control fund to the tobacco control board for the following programs:

(1) SMOKING CESSATION AND EDUCATION. (g) *Gifts and grants.* All moneys received from gifts, grants and donations for the purposes specified under s. 255.15 to be used for those purposes.

(tb) *General program operations.* Biennially, the amounts in the schedule for general program operations of the tobacco control board.

(tc) *Grants.* As a continuing appropriation, the amounts in the schedule for the purposes specified under s. 255.15 (3).

SECTION 458. 20.445 (1) (em) of the statutes is renumbered 20.445 (7) (em).

SECTION 459. 20.445 (1) (ev) of the statutes is renumbered 20.445 (7) (a) and amended to read:

20.445 **(7)** (a) ~~*Division of connecting education and work*~~ *General program operations.* The amounts in the schedule for the general program operations of the ~~division of connecting education and work~~ governor's work–based learning board under s. 106.12.

SECTION 461. 20.445 (1) (kb) of the statutes is renumbered 20.445 (7) (kb).

SECTION 461m. 20.445 (1) (kd) of the statutes is repealed.

SECTION 462. 20.445 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

20.445 **(3)** (a) *General program operations.* The amounts in the schedule for general program operations relating to economic support, including field services ~~and~~, administrative services and services related to identifying maintenance–of–effort funds, for costs associated with receiving and disbursing support and support–related payments, including any contract costs, and for administering the program under s. 49.22 and all other purposes specified in s. 49.22. No moneys may be expended under this paragraph for the program under, or any other purpose specified in, s. 49.22 unless moneys appropriated under par. (ja) are insufficient for the purposes specified under that paragraph.

SECTION 463. 20.445 (3) (br) of the statutes is amended to read:

20.445 **(3)** (br) *Public assistance reform studies.* As a continuing appropriation, the amounts in the schedule for the studies of public assistance reform under s. 49.32 (6)~~, for a study of the school attendance requirement under the learnfare pilot program for children who are 6 to 12 years of age and for the evaluation of the parental responsibility pilot program under s. 49.25 (9)~~.

SECTION 464. 20.445 (3) (cb) of the statutes is repealed.

SECTION 465. 20.445 (3) (cm) of the statutes is amended to read:

20.445 **(3)** (cm) *Wisconsin works child care.* The amounts in the schedule for paying child care subsidies under s. 49.155. ~~Before October 1, 1997, moneys appropriated under this paragraph may be used to fund child care costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under s. 49.191 (2), for child care and related transportation costs under s. 49.26 (1) (e), for at–risk and low–income child care under s. 49.132, 1995 stats., and for child care costs under ss. 49.191 (1) and 49.193 (8).~~

SECTION 466. 20.445 (3) (dz) of the statutes, as affected by 1997 Wisconsin Act 27, section 627b, is amended to read:

20.445 **(3)** (dz) *Wisconsin works and other public assistance administration and benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for administration and benefit payments under Wisconsin works under ss. 49.141 to 49.161, ~~the job opportunities and basic skills program under s. 49.193,~~ the learnfare program under s. 49.26, the work experience and job

search program under s. 49.36~~,~~ and the food stamp program under s. 49.124 ~~and the parental responsibility pilot program under s. 49.25~~; for payment distribution under s. 49.33 (8) for county administration of public assistance benefits ~~and medical assistance eligibility determination~~; and for payments to American Indian tribes for administration of public assistance programs; to provide state aid for county administered public assistance programs for which reimbursement is provided under s. 49.33 (9); ~~for child care costs under ss. 49.191 (1) and (2), 49.193 (8) and 49.26 (1) (e); for the new hope project under s. 49.37; for aid to 18–year–old students under s. 49.20;~~ and for funeral expenses under s. 49.30~~; and to transfer to the appropriation account under s. 20.835 (2) (k) the amount determined by the department of revenue under s. 49.175 (1) (b) 2~~. Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197 (1m) and (4). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

Vetoed In Part

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) 1m. 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 child support incentive payments as provided in s. 49.24 and for the support of dependent children in accordance with applicable federal and state statutes, federal regulations and state rules.

SECTION 472. 20.445 (3) (L) of the statutes is amended to read:

20.445 **(3)** (L) *Welfare fraud and error reduction; state operations.* From the moneys received as the state's share of the recovery of overpayments and incorrect payments under 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, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation accounts under ss. 20.435 (3) (kx), (6) (kx) and (8) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants ~~for the purposes specified~~ shall be credited to this appropriation account.

SECTION 474ac. 20.445 (3) (mc) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.445 **(3)** (mc) *Federal block grant operations.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for the purposes of operating and administering the block grant programs for which the block grant moneys are received and transferring moneys to the appropriation accounts under ss. 20.435 (3) (kx), (6) (kx) and (8) (kx) and 20.525 (1) ~~(kb) and~~ (kf). All block grant moneys received for these purposes from the federal government or any of its agencies for the state administration of federal block grants shall be credited to this appropriation account.

SECTION 475. 20.445 (3) (md) of the statutes is amended to read:

20.445 **(3)** (md) *Federal block grant aids.* The amounts in the schedule, less the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and to be transferred to the appropriation accounts under sub. (7) (kc) and ss. 20.255 (2) (kh) and (kp), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km) and

(ky), (5) (ky), (7) (kw) and (ky) and (8) (kx), 20.465 (4) (k) and 20.835 (2) (kf). All block grant moneys received for these purposes from the federal government or any of its agencies ~~to be expended as aids to individuals or organizations and to be transferred to the appropriation accounts under s. 20.435 (3) (kc) and (kd), (7) (kw) and (ky) and (8) (kx)~~ and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account.

SECTION 476. 20.445 (3) (mm) of the statutes is created to read:

20.445 **(3)** (mm) *Reimbursements from federal government.* All moneys received from the federal government that are intended to reimburse the state for expenditures in previous fiscal years from general purpose revenue appropriations whose purpose includes a requirement to match or secure federal funds and that exceeded in those fiscal years the estimates reflected in the intentions of the legislature and governor, as expressed by them in the budget determinations, and the joint committee on finance, as expressed by the committee in any determinations, and the estimates approved for expenditure by the secretary of administration under s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or penalties and the costs of any corrective action affecting the department of workforce development. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the amount determined by the department of administration under s. 16.54 (12) (d) shall lapse to the general fund.

SECTION 477. 20.445 (5) (kg) of the statutes is created to read:

20.445 **(5)** (kg) *Vocational rehabilitation services for tribes.* The amounts in the schedule for vocational rehabilitation services under ch. 47 for Native American individuals and federally recognized American Indian tribes or bands. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18e. shall be credited to this appropriation account.

SECTION 477m. 20.445 (6) (ka) of the statutes is repealed.

SECTION 478. 20.445 (7) of the statutes is created to read:

20.445 **(7)** GOVERNOR'S WORK–BASED LEARNING BOARD.

(b) *Local youth apprenticeship grants.* The amounts in the schedule for local youth apprenticeship grants under s. 106.13 (3m).

(kc) *Transfer of public assistance funds; work–based learning programs.* All moneys transferred from the appropriation account under sub. (3) (md) for work–based learning programs for youths who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619.

Vetoed In Part

(kd) *Transfer of Indian gaming receipts; tribal work–based learning programs.* The amounts in the schedule for work–based learning programs for students of a tribal college that is recognized as a land grant college under 7 USC 301, as amended to October 20, 1994. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18j. shall be credited to this appropriation account.

Vetoed In Part

(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.

Vetoed In Part

SECTION 480m. 20.455 (1) (kt) of the statutes is amended to read:

20.455 **(1)** (kt) *Telecommunications positions.* All moneys received from the public service commission under s. 196.85 (2m) for services provided by the department of justice relating to telecommunications matters. No moneys may be encumbered from this appropriation after June 30, ~~1999~~ 2001.

SECTION 481. 20.455 (2) (d) of the statutes is repealed.

SECTION 481d. 20.455 (2) (fm) of the statutes is created to read:

20.455 **(2)** (fm) *Gaming law enforcement.* The amounts in the schedule for the performance of the department's gaming law enforcement responsibilities as specified in s. 165.70 (3m). No moneys may be encumbered or expended from this appropriation account after the day of publication of the 2001–03 biennial budget act.

Vetoed In Part

SECTION 481m. 20.455 (2) (g) of the statutes is amended to read:

20.455 **(2)** (g) *Gaming law enforcement; racing revenues.* From all moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3) (d) ~~and (4)~~ and 562.09 (2) (e), the amounts in the schedule for the performance of the department's gaming law enforcement responsibilities as specified in s. 165.70 (3m).

SECTION 482. 20.455 (2) (hm) of the statutes is repealed.

SECTION 483. 20.455 (2) (hn) of the statutes is renumbered 20.455 (2) (kt) and amended to read:

20.455 **(2)** (kt) *County–tribal programs, local assistance.* The amounts in the schedule for distribution to county–tribal law enforcement programs under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account.

SECTION 484. 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and amended to read:

20.455 **(2)** (ku) *County–tribal programs, state operations.* The amounts in the schedule to finance ~~state operations~~ the activities of the department of justice associated with county–tribal law enforcement programs under s. 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account.

SECTION 485m. 20.455 (2) (i) of the statutes is amended to read:

20.455 **(2)** (i) *Penalty assessment surcharge, receipts.* The amounts in the schedule for the purposes of s. 165.85 (5) (b) ~~and (5m)~~ and for crime laboratory equipment. All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated to this appropriation account under s. ~~165.87 (1) and all moneys transferred from s. 20.505 (6) (h)~~ 757.05 (2) (a) shall be credited to this appropriation account. Moneys may be transferred from this paragraph to pars. (j) ~~and~~, (ja) and (jb) by the secretary of administration for expenditures based upon determinations by the department of justice.

SECTION 486m. 20.455 (2) (j) of the statutes is amended to read:

20.455 **(2)** (j) *Law enforcement training fund, local assistance.* The amounts in the schedule to finance local law enforcement training as provided in s. 165.85 (5) (b) ~~and (5m)~~. All moneys transferred from par. (i) shall be credited to this appropriation.

SECTION 488m. 20.455 (2) (jb) of the statutes is amended to read:

20.455 **(2)** (jb) *Crime laboratory equipment and supplies.* ~~Biennially, the~~ The amounts in the schedule for the maintenance, repair, upgrading and replacement costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade and replace that equipment, in the state and regional crime laboratories. All moneys transferred from par. (i) shall be credited to this appropriation.

SECTION 489. 20.455 (2) (ke) of the statutes is created to read:

20.455 **(2)** (ke) *Drug enforcement intelligence operations.* The amounts in the schedule for drug enforcement tactical and strategic intelligence units. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 9. shall be credited to this appropriation account.

SECTION 490. 20.455 (2) (km) of the statutes is created to read:

20.455 **(2)** (km) *Lottery background investigations.* The amounts in the schedule for the purpose of providing lottery–related background investigations. All moneys received from the department of revenue or any state agency as payments for services provided and costs incurred by the department of justice for lottery background investigations under s. 565.25 (4) shall be credited to this appropriation account.

Vetoed In Part

SECTION 490g. 20.455 (2) (r) of the statutes is amended to read:

20.455 **(2)** (r) *Gaming law enforcement; lottery revenues.* From the lottery fund, the amounts in the schedule for the performance of the department's gaming law enforcement responsibilities as specified in s. 165.70 (3m). No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal biennium.

Vetoed In Part

SECTION 490m. 20.455 (3) (ka) of the statutes is repealed.

Vetoed In Part

SECTION 491m. 20.455 (5) (i) of the statutes is amended to read:

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

SECTION 492. 20.455 (5) (k) of the statutes is amended to read:

20.455 **(5)** (k) *Interagency and intra–agency assistance; reimbursement to counties.* The amounts in the schedule to provide services to state agencies relating to victims and witnesses and to provide reimbursement to counties under s. 950.06 (2). All moneys received from the department or any other state agency for services relating to victims and witnesses shall be credited to this appropriation.

SECTION 493. 20.455 (5) (kk) of the statutes is amended to read:

20.455 **(5)** (kk) *Reimbursement to counties for providing victim and witness services.* All moneys transferred from the appropriation account under par. (kj) for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in providing services to victims and witnesses.

SECTION 494. 20.455 (5) (kp) of the statutes is created to read:

20.455 **(5)** (kp) *Reimbursement to counties for victim–witness services.* The amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in providing services to victims and witnesses of crime. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 11. shall be credited to this appropriation account.

SECTION 495. 20.455 (5) (ma) of the statutes is created to read:

20.455 **(5)** (ma) *Federal aid; state operations relating to crime victim services.* All moneys received as federal aid for the administration of crime victim services, as authorized by the governor under s. 16.54, to carry out the purposes for which made and received.

SECTION 496m. 20.465 (1) (kn) of the statutes is repealed.

SECTION 496s. 20.465 (2) (a) of the statutes is amended to read:

20.465 **(2)** (a) *Tuition grants.* ~~The~~ Biennially, the amounts in the schedule for the payment of tuition grants to members of the Wisconsin national guard under s. 21.49 (3).

SECTION 498. 20.465 (4) (k) of the statutes is created to read:

20.465 **(4)** (k) *Interagency assistance; Badger Challenge program.* All moneys received from other state agencies for operation of the Badger Challenge program under s. 21.25, for that purpose.

SECTION 498d. 20.475 (1) (d) of the statutes is amended to read:

20.475 **(1)** (d) *Salaries and fringe benefits.* The amounts in the schedule for salaries and fringe benefits of district attorneys and state employes of the office of the district attorney ~~and~~, for payments under s. 978.045 (2) (b) and, beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, for a payment of $80,000 in each fiscal year toward the department of administration's unfunded prior service liability under the Wisconsin retirement system that results from granting the creditable service under s. 40.02 (17) (gm).

SECTION 498m. 20.475 (1) (f) of the statutes is created to read:

20.475 **(1)** (f) *Firearm prosecution costs; firearm law media campaign.* The amounts in the schedule to reimburse Milwaukee County for the cost of clerks under s. 978.13 (1) (d) and the cost of computers under 1999 Wisconsin Act .... (this act), section 9101 (3c) and to reimburse the Milwaukee board of fire and police commissioners for the costs of the media campaign under s. 62.50 (23m).

SECTION 498t. 20.485 (1) (title) of the statutes is amended to read:

20.485 **(1)** (title) HOME AND FACILITIES FOR VETERANS.

SECTION 498v. 20.485 (1) (gk) of the statutes is amended to read:

20.485 **(1)** (gk) *Institutional operations.* The amounts in the schedule for the care of the Wisconsin ~~veterans home~~ Veterans Home and facilities. All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this appropriation.

SECTION 499. 20.485 (1) (gm) of the statutes is repealed.

SECTION 499m. 20.485 (2) (ka) of the statutes is repealed.

SECTION 500. 20.485 (2) (kg) of the statutes is created to read:

20.485 **(2)** (kg) *American Indian services coordinator.* The amounts in the schedule for an American Indian services veterans benefits coordinator position. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13g. shall be credited to this appropriation account.

SECTION 501. 20.485 (2) (km) of the statutes is created to read:

20.485 **(2)** (km) *American Indian grants.* The amounts in the schedule for grants to American Indian tribes and bands under s. 45.35 (14) (h). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13t. shall be credited to this appropriation account.

SECTION 502m. 20.485 (2) (x) of the statutes is amended to read:

20.485 **(2)** (x) *Federal per diem payments.* The amounts in the schedule for the provision of assistance to veterans under s. 45.357. All moneys received from the federal government as per diem payments for veterans participating in the veterans assistance program under s. 45.357 ~~to be used for the purposes under s. 45.357~~ shall be credited to this appropriation account.

SECTION 503. 20.485 (4) (a) of the statutes is repealed.

SECTION 504. 20.485 (4) (g) of the statutes is amended to read:

20.485 **(4)** (g) *Cemetery operations.* The amounts in the schedule for the care and operation of the veterans memorial cemeteries under s. 45.358 other than those costs provided under pars. ~~(a),~~ (q) and (r). All moneys received under s. 45.358 (3m) shall be credited to this appropriation account.

SECTION 505c. 20.490 (5) (t) of the statutes is repealed.

SECTION 508. 20.505 (1) (a) of the statutes is amended to read:

20.505 **(1)** (a) *General program operations.* The amounts in the schedule for administrative supervision, policy and fiscal planning and management and prosecution services and to defray the expenses incurred by the building commission not otherwise appropriated.

SECTION 509. 20.505 (1) (ab) of the statutes is repealed.

SECTION 509v. 20.505 (1) (cm) of the statutes is created to read:

20.505 **(1)** (cm) *Comprehensive planning grants.* The amounts in the schedule to provide comprehensive planning grants to local governmental units under s. 16.965 (2).

SECTION 509w. 20.505 (1) (cm) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed. **Vetoed In Part**

SECTION 509x. 20.505 (1) (cn) of the statutes is created to read:

20.505 **(1)** (cn) *Comprehensive planning; administrative support.* The amounts in the schedule for administrative support of comprehensive planning assistance under s. 16.965.

SECTION 509y. 20.505 (1) (cn) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed. **Vetoed In Part**

SECTION 510. 20.505 (1) (d) of the statutes is repealed.

SECTION 510m. 20.505 (1) (e) of the statutes is created to read:

20.505 **(1)** (e) *Census education assistance.* Biennially, the amounts in the schedule to make grants under 1999 Wisconsin Act .... (this act), section 9101 (19wx). No moneys may be encumbered or expended under this paragraph without the approval of the census education board.

Vetoed In Part

SECTION 511. 20.505 (1) (fm) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 511d. 20.505 (1) (fn) of the statutes is repealed.

SECTION 511h. 20.505 (1) (fo) of the statutes is created to read:

20.505 **(1)** (fo) *Federal resource acquisition support grants.* The amounts in the schedule for the department of administration to provide grants to any organization with which the department contracts under s. 16.98 (4) to operate the federal resource acquisition program.

SECTION 511n. 20.505 (1) (ge) of the statutes is created to read:

20.505 **(1)** (ge) *High–voltage transmission line annual impact fee distributions.* All moneys received from the payment of fees under the rules promulgated under s. 16.969 (2) (a) for distributions to to towns, villages and cities under s. 16.969 (3) (a).

SECTION 511r. 20.505 (1) (gs) of the statutes is created to read:

20.505 **(1)** (gs) *High–voltage transmission line environmental impact fee distributions.* All moneys received from the payment of fees under the rules promulgated under s. 16.969 (2) (b) for distributions to counties, towns, villages and cities under s. 16.969 (3) (b).

SECTION 512. 20.505 (1) (ij) of the statutes is amended to read:

20.505 **(1)** (ij) *Land information board; aids to counties.* From the moneys received by the land information board under s. 59.72 (5) (a), all moneys not appropriated under ~~par.~~ pars. (ie) and (ik) for the purpose of providing aids to counties for land information projects under s. 16.967 (7).

SECTION 513. 20.505 (1) (ik) of the statutes is created to read:

20.505 **(1)** (ik) *Land information board; soil surveys and mapping.* From the moneys received by the land information board under s. 59.72 (5) (a), the amounts in the schedule to perform soil survey and mapping activities under s. 16.967 (11).

SECTION 514. 20.505 (1) (ik) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 516. 20.505 (1) (is) of the statutes is amended to read:

20.505 **(1)** (is) *Information technology processing services to nonstate entities.* All moneys received from local governmental units and entities in the private sector for provision of computer services, telecommunications services and supercomputer services under s. 16.973 (2) (b) and (c) or under s. ~~196.218 (4r) (c) 4.~~ 44.73 (2) (d), to be used for the purpose of providing those services.

SECTION 516m. 20.505 (1) (j) of the statutes is amended to read:

20.505 **(1)** (j) *Gifts and donations.* ~~Except as provided in par. (jb), all~~ All moneys received from gifts, grants, bequests and devises, to carry out the purposes for which made and received.

SECTION 517. 20.505 (1) (ja) of the statutes is amended to read:

20.505 **(1)** (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). ~~Four–sevenths~~ Four–ninths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account.

SECTION 517e. 20.505 (1) (ja) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.505 **(1)** (ja) *Justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). ~~Four–ninths~~ Two–ninths of the moneys received under s. 814.635 (1) shall be credited to this appropriation account.

SECTION 517m. 20.505 (1) (jb) of the statutes is repealed.

SECTION 518. 20.505 (1) (ka) of the statutes is amended to read:

20.505 **(1)** (ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is) and (kb) to ~~(ks)~~ (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and (kb) to ~~(ks)~~ (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

SECTION 519. 20.505 (1) (ka) of the statutes, as affected by 1997 Wisconsin Act 27, section 669am, is amended to read:

20.505 **(1)** (ka) *Materials and services to state agencies and certain districts.* The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. (im), (is) and (kb) to ~~(kr)~~ (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts. All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. (im), (is) and (kb) to ~~(kr)~~ (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

Vetoed In Part

SECTION 520m. 20.505 (1) (kc) of the statutes is amended to read:

20.505 **(1)** (kc) *Capital planning and building construction services.* The amounts in the schedule to provide capital planning services under s. 13.48 (5) and building construction services under subch. V of ch. 16 on behalf of state agencies and local professional baseball park districts created under subch. III of ch. 229 and to transfer to the appropriation account under s. 20.505 (1) (kw) the amount in the schedule under s. 20.505 (1) (kw). The secretary of administration may credit moneys received for the provision of building construction and capital planning services on behalf of state agencies and such districts to this appropriation account.

SECTION 520n. 20.505 (1) (kc) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.505 **(1)** (kc) *Capital planning and building construction services.* The amounts in the schedule to provide capital planning services under s. 13.48 (5) and building construction services under subch. V of ch. 16 on behalf of state agencies and local professional baseball park districts created under subch. III of ch. 229 ~~and to transfer to the appropriation account under s. 20.505 (1) (kw) the amount in the schedule under s. 20.505 (1) (kw)~~. The secretary of administration may credit moneys received for the provision of building construction and capital planning services on behalf of state agencies and such districts to this appropriation account.

SECTION 525. 20.505 (1) (kL) of the statutes is amended to read:

20.505 **(1)** (kL) *Information technology processing services to agencies.* All moneys received from state agencies for the provision of information technology processing or telecommunications services under ss. 16.973 and 16.974 or under s. 44.73 (2) (d), to be used for the purpose of providing those services.

SECTION 525g. 20.505 (1) (kn) of the statutes is repealed.

SECTION 525r. 20.505 (1) (ko) of the statutes is repealed.

SECTION 525x. 20.505 (1) (kp) of the statutes is amended to read:

20.505 **(1)** (kp) *Interagency assistance; justice information systems.* The amounts in the schedule for the development and operation of automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under sub. (6) (kt) and (pc) shall be credited to this appropriation account.

SECTION 526. 20.505 (1) (kq) of the statutes is created to read:

20.505 **(1)** (kq) *Justice information systems development, operation and maintenance.* The amounts in the schedule for the purpose of developing, operating and maintaining automated justice information systems under s. 16.971 (9). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 12. shall be credited to this appropriation account.

SECTION 527. 20.505 (1) (kt) of the statutes is created to read:

20.505 **(1)** (kt) *Land information board; soil surveys and mapping; state agency support.* All moneys received by the land information board from assessments levied against state agencies under s. 16.967 (11) to conduct soil surveys and soil mapping activities. Vetoed In Part Vetoed In Part

SECTION 527e. 20.505 (1) (kt) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed. Vetoed In Part

SECTION 527g. 20.505 (1) (ku) of the statutes is created to read:

20.505 **(1)** (ku) *Management assistance grants to counties.* The amounts in the schedule for the purpose of providing management assistance grants to counties under s. 16.18. All moneys transferred from the appropriation account under sub. (8) (hm) 18h. shall be credited to this appropriation account.

SECTION 527s. 20.505 (1) (kw) of the statutes is created to read: Vetoed In Part

20.505 **(1)** (kw) *Grant to Heritage Military Music Foundation.* The amounts in the schedule to provide a grant to the Heritage Military Music Foundation, as provided in s. 16.853. All moneys transferred from the appropriation account under par. (kc) shall be credited to this appropriation account.

SECTION 527t. 20.505 (1) (kw) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 528. 20.505 (1) (qm) of the statutes is repealed.

SECTION 528m. 20.505 (1) (r) of the statutes is amended to read:

20.505 **(1)** (r) ~~*Information technology investment*~~ *VendorNet fund administration.* From the ~~information technology investment~~ VendorNet fund, the amounts in the schedule for administration of the fund ~~under s. 16.971~~.

SECTION 528p. 20.505 (1) (s) of the statutes is created to read:

20.505 **(1)** (s) *Wisconsin sesquicentennial commission; payment of obligations.* From the historical legacy trust fund, all moneys received from moneys deposited under s. 14.26 (5g) (c) and (e), 1997 stats., for the purpose specified under s. 14.26 (7).

SECTION 528t. 20.505 (1) (v) of the statutes is amended to read: Vetoed In Part

20.505 **(1)** (v) *General program operations — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for general program operations under s. 281.58, 281.59, 281.595, 281.60 or 281.61.

SECTION 528v. 20.505 (1) (x) of the statutes is amended to read:

20.505 **(1)** (x) *General program operations — clean water fund program; federal funds.* As a continuing

Vetoed In Part

appropriation, from the clean water fund program federal revolving loan fund account in the environmental improvement fund, the amounts in the schedule for general program operations of the clean water fund program and the urban storm water loan program under ~~s.~~ ss. 281.58 ~~or,~~ 281.59 and 281.595.

SECTION 529. 20.505 (1) (z) of the statutes is created to read:

20.505 **(1)** (z) *Transportation planning grants to local governmental units.* From the transportation fund, the amounts in the schedule to provide transportation planning grants to local governmental units under s. 16.9651. All moneys received from the federal government and transferred from the appropriation account under s. 20.395 (3) (ix) shall be credited to this appropriation account.

SECTION 530. 20.505 (3) (e) of the statutes is repealed.

SECTION 531. 20.505 (3) (g) of the statutes is amended to read:

20.505 **(3)** (g) *Gifts and grants.* All moneys received from gifts, grants or bequests by the women's council or by any committee created by law or executive order~~, by the women's council or by the office of mediation if the office is created by executive order under s. 14.019~~, to be used for the purposes for which made and received.

SECTION 531p. 20.505 (4) (e) of the statutes is created to read:

20.505 **(4)** (e) *Technical college capacity building program.* The amounts in the schedule for grants to technical college district boards under s. 16.004 (14).

Vetoed In Part

SECTION 532. 20.505 (4) (fm) of the statutes is renumbered 20.505 (1) (fm).

SECTION 533. 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and amended to read:

20.435 **(3)** (gb) *National and community service board; gifts and grants.* All moneys received from gifts, grants and bequests for the activities of the national and community service board under s. ~~16.22~~ 46.78, to carry out the purpose for which made and received.

SECTION 533m. 20.505 (4) (kb) of the statutes is repealed.

Vetoed In Part

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.

Vetoed In Part

SECTION 535. 20.505 (4) (p) of the statutes is renumbered 20.435 (3) (p) and amended to read:

Vetoed In Part

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).

Vetoed In Part

SECTION 539. 20.505 (6) (g) of the statutes is renumbered 20.505 (6) (kp) and amended to read:

20.505 **(6)** (kp) *Anti–drug enforcement program, penalty assessment — local.* ~~All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1)~~ The amounts in the schedule to match federal funds made available under subtitle K of title I of P.L. 99–570~~, except as provided in par. (h) and s. 20.410 (3) (kj). The executive staff director of the office of justice assistance may transfer moneys not needed as matching funds under this paragraph to par. (h). The secretary of administration shall transfer $645,000 from this paragraph to s. 20.410 (3) (kj) in each fiscal year. The secretary of administration shall transfer $200,000 in fiscal year 1997–98 and $200,000 in fiscal year 1998–99 from this paragraph to the appropriation account under s. 20.455 (2) (k) for a drug enforcement tactical intelligence unit and shall transfer $948,800 in fiscal year 1998–99 from this paragraph to the appropriation account under s. 20.455 (2) (k) for a drug enforcement strategic intelligence unit.~~ All moneys transferred from the appropriation account under par. (j) 3. shall be credited to this appropriation account.

SECTION 540. 20.505 (6) (h) of the statutes is renumbered 20.505 (6) (kt) and amended to read:

20.505 **(6)** (kt) *Anti–drug enforcement program, penalty assessment — state.* ~~All moneys transferred from par. (g)~~ The amounts in the schedule to match federal funds made available under subtitle K of title I of P.L. 99–570 ~~regarding allocations~~ and allocated to state agencies ~~for planning, programs and administration regarding anti–drug abuse law enforcement assistance. The secretary of administration shall transfer $500,000 in fiscal year 1991–92 from this paragraph to s. 20.455 (2) (i)~~ to carry out the purposes for which received. All moneys transferred from the appropriation account under par. (j) 14. shall be credited to this appropriation account.

SECTION 541. 20.505 (6) (i) of the statutes is created to read:

20.505 **(6)** (i) *Gifts and grants.* All moneys received from gifts and grants, other than moneys received for and deposited in the appropriation accounts under pars. (k) to (pc), to carry out the purposes for which made and received.

SECTION 542. 20.505 (6) (j) of the statutes is created to read:

20.505 **(6)** (j) *Penalty assessment surcharge receipts.* All moneys received from the penalty assessment surcharge under s. 757.05 (2) (b) on court fines and forfeitures and all moneys transferred under 1999 Wisconsin Act .... (this act), sections 9201 (2m), (2n) and (2p), 9211 (2g), 9230 (1), (2m) and (3m), 9238 (1h) and 9239 (1h)

and (2h), for the purpose of transferring the following amounts to the following appropriation accounts:

3. The amount transferred to par. (kp) shall be the amount in the schedule under par. (kp).

4. The amount transferred to s. 20.255 (1) (kd) shall be the amount in the schedule under s. 20.255 (1) (kd).

5. The amount transferred to s. 20.255 (2) (kd) shall be the amount in the schedule under s. 20.255 (2) (kd).

5m. The amount transferred to s. 20.410 (1) (kh) shall be the amount in the schedule under s. 20.410 (1) (kh).

6. The amount transferred to s. 20.410 (1) (kp) shall be the amount in the schedule under s. 20.410 (1) (kp).

8. The amount transferred to s. 20.410 (3) (kj) shall be the amount in the schedule under s. 20.410 (3) (kj).

9. The amount transferred to s. 20.455 (2) (ke) shall be of the amount in the schedule under s. 20.455 (2) (ke).

11. The amount transferred to s. 20.455 (5) (kp) shall be the amount in the schedule under s. 20.455 (5) (kp).

12. The amount transferred to sub. (1) (kq) shall be the amount in the schedule under sub. (1) (kq).

13. The amount transferred to par. (k) shall be the amount in the schedule under par. (k).

14. The amount transferred to par. (kt) shall be the amount in the schedule under par. (kt).

15. The amount transferred to s. 20.550 (1) (kj) shall be the amount in the schedule under s. 20.550 (1) (kj).

16. The amount transferred to s. 20.680 (2) (kp) shall be the amount in the schedule under s. 20.680 (2) (kp).

SECTION 542f. 20.505 (6) (j) 16. of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 543. 20.505 (6) (k) of the statutes is amended to read:

20.505 **(6)** (k) *Anti–drug enforcement program — administration.* ~~All moneys received from any state agency for planning, programs and administration regarding anti–drug abuse~~ The amounts in the schedule for the purpose of administering federal grants for law enforcement assistance. All moneys transferred from the appropriation account under par. (j) 13. shall be credited to this appropriation account.

SECTION 543x. 20.505 (6) (kq) of the statutes is created to read:

20.505 **(6)** (kq) *County law enforcement services.* The amounts in the schedule to provide grants to counties under s. 16.964 (7). All moneys transferred from the appropriation account under sub. (8) (hm) 15d. shall be credited to this appropriation account.

SECTION 544. 20.505 (6) (ks) of the statutes is created to read:

20.505 **(6)** (ks) *Tribal law enforcement assistance.* The amounts in the schedule to provide grants for tribal law enforcement under s. 16.964 (6) and grants to Indian tribes under s. 16.964 (8). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15. shall be credited to this appropriation account.

Vetoed In Part

SECTION 544m. 20.505 (7) (jf) of the statutes is repealed.

SECTION 545. 20.505 (8) (g) (intro.) of the statutes is amended to read:

20.505 **(8)** (g) *General program operations; racing.* (intro.) The amounts in the schedule for general program operations under ch. 562. All moneys received by the department of administration under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3) (d) ~~and (4)~~, 562.09 (2) (e) and 562.124 (2), less the amounts appropriated under s. 20.455 (2) (g), shall be credited to this appropriation account. ~~Annually, of the moneys received under this appropriation account, an amount equal to 14% of the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account under s. 20.435 (7) (kg).~~ The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures under this appropriation, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (4), shall be transferred as follows:

Vetoed In Part

SECTION 546. 20.505 (8) (h) of the statutes is amended to read:

20.505 **(8)** (h) *General program operations; Indian gaming.* ~~The~~ From the moneys received under s. 569.06, the amounts in the schedule for general program operations under ch. 569. ~~All Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated under s. 20.455 (2) (gc), shall be credited to this appropriation account. Annually, of the moneys received under this appropriation account, an amount equal to 50% of the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account under s. 20.435 (7) (kg).~~

SECTION 547. 20.505 (8) (hm) (intro.) of the statutes is created to read:

20.505 **(8)** (hm) *Indian gaming receipts.* (intro.) All moneys received as Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following amounts:

SECTION 548. 20.505 (8) (hm) 1. of the statutes is created to read:

20.505 **(8)** (hm) 1. The amount transferred to s. 20.435 (7) (kg) shall be the amount in the schedule under s. 20.435 (7) (kg).

SECTION 549. 20.505 (8) (hm) 1c. of the statutes is created to read:

20.505 **(8)** (hm) 1c. The amount transferred to s. 20.285 (1) (km) shall be the amount in the schedule under s. 20.285 (1) (km).

SECTION 550. 20.505 (8) (hm) 1f. of the statutes is created to read:

20.505 **(8)** (hm) 1f. The amount transferred to the conservation fund shall be $2,500,000.

SECTION 551. 20.505 (8) (hm) 4b. of the statutes is created to read:

20.505 **(8)** (hm) 4b. The amount transferred to s. 20.215 (1) (km) shall be the amount in the schedule under s. 20.215 (1) (km).

SECTION 552. 20.505 (8) (hm) 4h. of the statutes is created to read:

20.505 **(8)** (hm) 4h. The amount transferred to s. 20.245 (2) (km) shall be the amount in the schedule under s. 20.245 (2) (km).

SECTION 553. 20.505 (8) (hm) 4i. of the statutes is created to read:

20.505 **(8)** (hm) 4i. The amount transferred to s. 20.235 (1) (k) shall be the amount in the schedule under s. 20.235 (1) (k).

SECTION 554. 20.505 (8) (hm) 6. of the statutes is created to read:

20.505 **(8)** (hm) 6. The amount transferred to s. 20.380 (1) (kg) and (km) combined shall be $4,000,000.

SECTION 555. 20.505 (8) (hm) 6f. of the statutes is created to read:

20.505 **(8)** (hm) 6f. The amount transferred to s. 20.143 (1) (kf) shall be the amount in the schedule under s. 20.143 (1) (kf).

SECTION 556. 20.505 (8) (hm) 6g. of the statutes is created to read:

20.505 **(8)** (hm) 6g. The amount transferred to s. 20.143 (1) (kg) shall be the amount in the schedule under s. 20.143 (1) (kg).

SECTION 557. 20.505 (8) (hm) 6h. of the statutes is created to read:

20.505 **(8)** (hm) 6h. The amount transferred to s. 20.143 (1) (kh) shall be the amount in the schedule under s. 20.143 (1) (kh).

SECTION 558. 20.505 (8) (hm) 6j. of the statutes is created to read:

20.505 **(8)** (hm) 6j. The amount transferred to s. 20.143 (1) (kj) shall be the amount in the schedule under s. 20.143 (1) (kj).

SECTION 559. 20.505 (8) (hm) 6m. of the statutes is created to read:

20.505 **(8)** (hm) 6m. The amount transferred to s. 20.143 (1) (km) shall be the amount in the schedule under s. 20.143 (1) (km).

SECTION 562. 20.505 (8) (hm) 6r. of the statutes is created to read:

20.505 **(8)** (hm) 6r. The amount transferred to s. 20.143 (1) (kr) shall be $388,700.

SECTION 563. 20.505 (8) (hm) 7. of the statutes is created to read:

20.505 **(8)** (hm) 7. The amount transferred to the appropriation account under s. 20.435 (4) (ky) shall be $2,055,000 in fiscal year 1999–2000 and $2,115,000 in fiscal year 2000–01.

SECTION 564. 20.505 (8) (hm) 8d. of the statutes is created to read:

20.505 **(8)** (hm) 8d. The amount transferred to s. 20.370 (4) (kk) shall be the amount in the schedule under s. 20.370 (4) (kk).

SECTION 565. 20.505 (8) (hm) 8g. of the statutes is created to read:

20.505 **(8)** (hm) 8g. The amount transferred to s. 20.370 (1) (hk) shall be the amount in the schedule under s. 20.370 (1) (hk).

SECTION 565m. 20.505 (8) (hm) 8i. of the statutes is created to read:

20.505 **(8)** (hm) 8i. The amount transferred to s. 20.370 (1) (Lk) shall be the amount in the schedule under s. 20.370 (1) (Lk).

SECTION 566. 20.505 (8) (hm) 8k. of the statutes is created to read:

20.505 **(8)** (hm) 8k. The amount transferred to s. 20.370 (3) (ak) shall be the amount in the schedule under s. 20.370 (3) (ak).

SECTION 568. 20.505 (8) (hm) 8r. of the statutes is created to read:

20.505 **(8)** (hm) 8r. The amount transferred to s. 20.370 (9) (hk) shall be the amount in the schedule under s. 20.370 (9) (hk).

SECTION 569. 20.505 (8) (hm) 10. of the statutes is created to read:

20.505 **(8)** (hm) 10. The amount transferred to s. 20.235 (1) (km) shall be the amount in the schedule under s. 20.235 (1) (km).

SECTION 570. 20.505 (8) (hm) 11. of the statutes is created to read:

20.505 **(8)** (hm) 11. The amount transferred to s. 20.255 (2) (km) shall be the amount in the schedule under s. 20.255 (2) (km).

SECTION 571. 20.505 (8) (hm) 11a. of the statutes is created to read:

20.505 **(8)** (hm) 11a. The amount transferred to s. 20.285 (1) (kn) shall be the amount in the schedule under s. 20.285 (1) (kn).

SECTION 572. 20.505 (8) (hm) 13g. of the statutes is created to read:

20.505 **(8)** (hm) 13g. The amount transferred to s. 20.485 (2) (kg) shall be the amount in the schedule under s. 20.485 (2) (kg).

SECTION 574. 20.505 (8) (hm) 13t. of the statutes is created to read:

20.505 **(8)** (hm) 13t. The amount transferred to s. 20.485 (2) (km) shall be the amount in the schedule under s. 20.485 (2) (km).

SECTION 575. 20.505 (8) (hm) 15. of the statutes is created to read:

20.505 **(8)** (hm) 15. The amount transferred to sub. (6) (ks) shall be the amount in the schedule under sub. (6) (ks).

SECTION 575L. 20.505 (8) (hm) 15d. of the statutes is created to read:

20.505 **(8)** (hm) 15d. The amount transferred to sub. (6) (kq) shall be the amount in the schedule under sub. (6) (kq).

SECTION 576. 20.505 (8) (hm) 15g. of the statutes is created to read:

20.505 **(8)** (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the amount in the schedule under s. 20.455 (2) (kt).

SECTION 577. 20.505 (8) (hm) 15h. of the statutes is created to read:

20.505 **(8)** (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the amount in the schedule under s. 20.455 (2) (ku).

SECTION 579. 20.505 (8) (hm) 17e. of the statutes is created to read:

20.505 **(8)** (hm) 17e. The amount transferred to s. 20.370 (6) (dk) shall be the amount in the schedule under s. 20.370 (6) (dk).

SECTION 580. 20.505 (8) (hm) 17g. of the statutes is created to read:

20.505 **(8)** (hm) 17g. The amount transferred to s. 20.370 (6) (ck) shall be the amount in the schedule under s. 20.370 (6) (ck).

SECTION 581. 20.505 (8) (hm) 17g. of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 582. 20.505 (8) (hm) 18. of the statutes is created to read:

20.505 **(8)** (hm) 18. The amount transferred to s. 20.435 (4) (kb) shall be the amount in the schedule under s. 20.435 (4) (kb).

SECTION 583. 20.505 (8) (hm) 18b. of the statutes is created to read:

20.505 **(8)** (hm) 18b. The amount transferred to s. 20.435 (5) (ke) shall be the amount in the schedule under s. 20.435 (5) (ke).

SECTION 584. 20.505 (8) (hm) 18c. of the statutes is created to read:

20.505 **(8)** (hm) 18c. The amount transferred to s. 20.435 (7) (kL) shall be the amount in the schedule under s. 20.435 (7) (kL).

SECTION 585. 20.505 (8) (hm) 18d. of the statutes is created to read:

20.505 **(8)** (hm) 18d. The amount transferred to s. 20.435 (7) (km) shall be the amount in the schedule under s. 20.435 (7) (km).

SECTION 586. 20.505 (8) (hm) 18e. of the statutes is created to read:

20.505 **(8)** (hm) 18e. The amount transferred to s. 20.445 (5) (kg) shall be the amount in the schedule under s. 20.445 (5) (kg).

SECTION 586f. 20.505 (8) (hm) 18h. of the statutes is created to read:

20.505 **(8)** (hm) 18h. The amount transferred to sub. (1) (ku) shall be the amount in the schedule under sub. (1) (ku).

SECTION 586g. 20.505 (8) (hm) 18j. of the statutes is created to read:

20.505 **(8)** (hm) 18j. The amount transferred to s. 20.445 (7) (kd) shall be the amount in the schedule under s. 20.445 (7) (kd).

SECTION 586h. 20.505 (8) (hm) 19. of the statutes is created to read:

20.505 **(8)** (hm) 19. The amount transferred to s. 20.835 (2) (ka) shall be the sum of the amounts calculated by the department of administration under s. 569.02 (5).

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 587b. 20.505 (10) of the statutes is created to read:

20.505 **(10)** UTILITY PUBLIC BENEFITS. (q) *General program operations.* From the utility public benefits fund, the amounts in the schedule for general program operations.

(r) *Low–income assistance grants.* From the utility public benefits fund, a sum sufficient for low–income assistance grants under s. 16.957 (2) (a).

(s) *Energy conservation and efficiency and renewable resource grants.* From the utility public benefits fund, a sum sufficient for energy conservation and efficiency and renewable resource grants under s. 16.957 (2) (b) 1. and to make the transfer to the air quality improvement fund under s. 16.958 (2) (a).

SECTION 587d. 20.505 (11) of the statutes is created to read:

20.505 **(11)** AIR QUALITY IMPROVEMENT PROGRAM. (r) *Air quality improvement grants.* From the air quality improvement fund, a sum sufficient equal to all moneys transferred under s. 16.958 (2) (a) and all moneys received under s. 196.86 (2), for the purpose of making grants under s. 16.958 (2) (b).

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 589m. 20.510 (1) (ka) of the statutes is repealed.

SECTION 590. 20.512 (1) (k) of the statutes is created to read:

20.512 **(1)** (k) *Funds received from other state agencies.* All moneys received from other state agencies for the purpose of providing employment services and materials to state agencies.

SECTION 590m. 20.512 (1) (kb) of the statutes is repealed.

SECTION 591b. 20.515 (1) (ka) of the statutes is repealed.

SECTION 591d. 20.515 (1) (v) of the statutes is created to read:

20.515 **(1)** (v) *Provision of benefits.* Biennially, the amounts in the schedule for providing benefits under the Wisconsin retirement system.

SECTION 591e. 20.515 (1) (v) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 591gb. 20.515 (2) (title) of the statutes is created to read:

20.515 **(2)** (title) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM.

SECTION 591gd. 20.515 (2) (title) of the statutes, as created by 1999 Wisconsin Act .... (this act), section 591gb, is repealed.

SECTION 591gm. 20.515 (2) (a) of the statutes is created to read:

20.515 **(2)** (a) *Private employer health care coverage program; operating costs.* Biennially, the amounts in the schedule for the operating costs relating to the private employer health care coverage program under subch. X of ch. 40.

SECTION 591go. 20.515 (2) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), section 591gm, is repealed.

SECTION 591gt. 20.515 (2) (b) of the statutes is created to read:

20.515 **(2)** (b) *Grant for program administrator's costs.* Biennially, the amounts in the schedule for the grant under 1999 Wisconsin Act .... (this act), section 22 (3).

SECTION 591gv. 20.515 (2) (b) of the statutes, as created by 1999 Wisconsin Act .... (this act), section 591gt, is repealed.

SECTION 591gx. 20.515 (2) (g) of the statutes is created to read:

20.515 **(2)** (g) *Private employer health care coverage plan.* All moneys received under subch. X of ch. 40 from employers who elect to participate in the private employer health care coverage program under subch. X of ch. 40, for the costs of designing, marketing and contracting for or providing administrative services for the program.

SECTION 591gy. 20.515 (2) (g) of the statutes, as created by 1999 Wisconsin Act .... (this act), section 591gx, is repealed.

SECTION 591r. 20.521 (1) (ka) of the statutes is repealed.

SECTION 592. 20.525 (1) (i) of the statutes is amended to read:

20.525 **(1)** (i) *Gifts and grants.* All moneys received from gifts, grants~~,~~ and bequests ~~and devises for the advocacy activities under s. 14.19~~, to carry out the purposes for which made and received.

SECTION 592m. 20.525 (1) (ka) of the statutes is repealed.

SECTION 593. 20.525 (1) (kb) of the statutes is created to read:

20.525 **(1)** (kb) *Assistance from department of development.* All moneys received from the department of development pursuant to any arrangement under s. 14.18 to assist the governor in providing temporary assistance for needy families under 42 USC 601 et. seq.

SECTION 593ac. 20.525 (1) (kb) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 593d. 20.525 (1) (kf) of the statutes is created to read:

20.525 **(1)** (kf) *Literacy improvement aids, program revenues.* The amounts in the schedule for the governor to provide grants for literacy improvement under s. 14.20. All moneys transferred from the appropriation account under s. 20.445 (3) (mc) for this purpose shall be credited to this appropriation account.

SECTION 593e. 20.536 (1) (k) of the statutes is repealed and recreated to read:

20.536 **(1)** (k) *General program operations.* All moneys received from assessments made under s. 25.187 (2) and from charges made under ss. 24.62 (1), 25.16 (8) and 25.17 (9) for the purpose of conducting general program operations. **Vetoed In Part**

SECTION 593f. 20.536 (1) (ka) of the statutes is amended to read: **Vetoed In Part**

20.536 **(1)** (ka) *General program operations; environmental improvement fund.* All moneys received for providing services to the department of administration or

Vetoed In Part

the department of natural resources in administering ss. 25.43, 281.58, 281.59, 281.595, 281.60, 281.61 and 281.62, for general program operations.

SECTION 593g. 20.540 (1) (ka) of the statutes is repealed.

SECTION 593r. 20.547 (1) (ka) of the statutes is repealed.

SECTION 594. 20.550 (1) (j) of the statutes is renumbered 20.550 (1) (kj) and amended to read:

20.550 **(1)** (kj) *Conferences and training.* The amounts in the schedule to sponsor conferences and training under ch. 977. All moneys ~~received~~ transferred from the ~~penalty assessment surcharge on court fines and forfeitures as allocated~~ appropriation account under s. ~~165.87 (1) (br)~~ 20.505 (6) (j) 15. shall be credited to this appropriation account.

SECTION 594d. 20.566 (1) (gc) of the statutes is repealed.

SECTION 594f. 20.566 (1) (gg) of the statutes is amended to read:

20.566 **(1)** (gg) *Administration of local taxes.* The amounts in the schedule for administering the taxes under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77. ~~Three percent~~ An amount equal to 2.55% of all moneys received from the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77 shall be credited to this appropriation.

SECTION 594k. 20.566 (1) (hp) of the statutes is amended to read:

20.566 **(1)** (hp) *Administration of endangered resources voluntary payments.* The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred in administering ~~s.~~ ss. 71.10 (5) and 71.30 (10). All moneys certified under ~~s.~~ ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1. shall be credited to this appropriation.

SECTION 594m. 20.566 (1) (hq) of the statutes is repealed.

SECTION 595g. 20.566 (2) (am) of the statutes is created to read:

20.566 **(2)** (am) *Lottery and gaming credit administration.* The amounts in the schedule for the administration of the lottery and gaming credit. No moneys may be encumbered or expended from this appropriation account after the day of publication of the 2001–03 biennial budget act.

Vetoed In Part

SECTION 595m. 20.566 (2) (r) of the statutes, as affected by 1999 Wisconsin Act 5, is amended to read:

20.566 **(2)** (r) *Lottery and gaming credit administration.* From the lottery fund, the amounts in the schedule for the administration of the lottery and gaming credit. No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal year biennium.

SECTION 596. 20.566 (3) (a) of the statutes is amended to read:

20.566 **(3)** (a) *General program operations.* The amounts in the schedule for the office of the secretary, the legal staff, stenographic reporter services, ~~the~~ research and analysis ~~division and the~~, administrative services ~~division~~ and ~~for~~ space rental.

SECTION 596m. 20.566 (3) (ka) of the statutes is repealed.

SECTION 596q. 20.566 (8) (a) of the statutes is created to read:

20.566 **(8)** (a) *General program operations.* The amounts in the schedule for general program operations under ch. 565. No moneys may be encumbered or expended from this appropriation account after the day of publication of the 2001–03 biennial budget act.

SECTION 596r. 20.566 (8) (b) of the statutes is created to read:

20.566 **(8)** (b) *Retailer compensation.* A sum sufficient to pay compensation to retailers under s. 565.10 (14) (b). No moneys may be encumbered or expended from this appropriation account after the day of publication of the 2001–03 biennial budget act. Vetoed In Part

SECTION 596s. 20.566 (8) (c) of the statutes is created to read:

20.566 **(8)** (c) *Vendor fees.* A sum sufficient to pay vendors for on–line and instant ticket services and supplies provided by the vendors under contract under s. 565.25 (2) (a). No moneys may be encumbered or expended from this appropriation account after the day of publication of the 2001–03 biennial budget act. Vetoed In Part

SECTION 597g. 20.566 (8) (q) of the statutes, as affected by 1999 Wisconsin Act 5, is amended to read: Vetoed In Part

20.566 **(8)** (q) *General program operations.* From the lottery fund, the amounts in the schedule for general program operations under ch. 565. No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal biennium.

SECTION 597c. 20.566 (8) (r) of the statutes is amended to read:

20.566 **(8)** (r) *Retailer compensation.* From the lottery fund, a sum sufficient to pay compensation to retailers under s. 565.10 (14) (b). No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal biennium. Vetoed In Part

SECTION 597f. 20.566 (8) (v) of the statutes is amended to read:

20.566 **(8)** (v) *Vendor fees.* From the lottery fund, a sum sufficient to pay vendors for on–line and instant ticket services and supplies provided by the vendors under contract under s. 565.25 (2) (a). No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal biennium. Vetoed In Part

SECTION 597m. 20.585 (1) (ka) of the statutes is repealed.

SECTION 598x. 20.625 (1) (k) of the statutes is repealed.

SECTION 599. 20.625 (1) (km) of the statutes is repealed.

SECTION 600. 20.660 (1) (k) of the statutes is repealed.

SECTION 601. 20.665 (1) (d) of the statutes is created to read:

20.665 **(1)** (d) *General program operations; judicial council.* The amounts in the schedule for the general program operations of the judicial council.

SECTION 601m. 20.665 (1) (ka) of the statutes is repealed.

SECTION 602. 20.680 (1) (km) of the statutes is repealed.

Vetoed In Part

SECTION 602m. 20.680 (2) (a) of the statutes is amended to read:

20.680 **(2)** (a) *General program operations.* ~~The~~ Biennially, the amounts in the schedule to carry into effect the functions of the director of state courts.

SECTION 603. 20.680 (2) (h) of the statutes is amended to read:

20.680 **(2)** (h) *Materials and services.* ~~The amounts in the schedule to provide services and replace inventory items under s. 758.19 (2).~~ All moneys received from providing ~~those~~ services and selling documents under s. 758.19 (2) ~~shall be credited to this appropriation~~ to provide services and sell documents related to uniform forms, special reports, photocopies and pamphlets under s. 758.19 (2).

SECTION 604. 20.680 (2) (i) of the statutes is amended to read:

20.680 **(2)** (i) *Municipal judge training.* ~~The amounts in the schedule for municipal judge training.~~ All moneys received from municipalities for municipal judge training programs ~~shall be credited to this appropriation~~ to be used for municipal judge training.

SECTION 605. 20.680 (2) (j) of the statutes is amended to read:

20.680 **(2)** (j) *Court information systems ~~and interpreters~~.* ~~The amounts in the schedule for the operation of circuit court automated systems under s. 758.19 (4), the court of appeals automated information system and the supreme court automated information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2.~~ All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections and ~~two–sevenths~~ four–ninths of the moneys received under s. 814.635 (1) ~~shall be credited to this appropriation account. The supreme court may transfer moneys from this appropriation account to the appropriation accounts under sub. (1) (km) and ss. 20.625 (1) (km) and 20.660 (1) (k)~~ for the operation of circuit court automated information systems under s. 758.19 (4).

SECTION 605d. 20.680 (2) (j) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

20.680 **(2)** (j) *Court information systems.* All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation account under those sections and ~~four–ninths~~ six–ninths of the moneys received under s. 814.635 (1) for the operation of circuit court automated information systems under s. 758.19 (4).

SECTION 605f. 20.680 (2) (ka) of the statutes is repealed.

SECTION 605g. 20.680 (2) (kp) of the statutes is created to read:

20.680 **(2)** (kp) *Court information systems; penalty assessment receipts.* The amounts in the schedule for the operation of circuit court automated information systems under s. 758.19 (4). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 16. shall be credited to this appropriation account.

SECTION 605h. 20.680 (2) (kp) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 605m. 20.680 (4) (a) of the statutes is amended to read: **Vetoed In Part**

20.680 **(4)** (a) *General program operations.* ~~The~~ Biennially, the amounts in the schedule for general program operations.

SECTION 606. 20.680 (4) (g) of the statutes is amended to read:

20.680 **(4)** (g) *Library collections and services.* ~~The amounts in the schedule for photocopying and microfilm copying of documents, generation of copies of documents from optical disk or electronic storage, publication of books, computer services and other services provided by the state law library in carrying out its functions.~~ All moneys received by the state law library as fees or other charges for photocopying, microfilm copying, generation of copies of documents from optical disk or electronic storage, computer services, sales of books and other services provided in carrying out the functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation~~ to provide photocopying and microfilm copying of documents, generation of copies of documents from optical disk or electronic storage, publication of books, computer services and other services.

SECTION 606d. 20.765 (1) (ka) of the statutes is repealed.

SECTION 606t. 20.835 (2) (dn) of the statutes is created to read:

20.835 **(2)** (dn) *Farmland tax relief credit.* A sum sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c), to the extent that these claims are not paid under par. (ka). No moneys may be encumbered or expended from this appropriation after the day of publication of the 2001–03 biennial budget act . **Vetoed In Part**

SECTION 610. 20.835 (2) (ep) of the statutes is amended to read:

20.835 **(2)** (ep) *Cigarette and tobacco product tax refunds.* A sum sufficient to pay refunds under ss. 139.323 ~~and~~, 139.325, 139.803 and 139.805.

SECTION 611. 20.835 (2) (f) of the statutes is amended to read:

20.835 **(2)** (f) *Earned income tax credit.* A sum sufficient to pay the excess claims approved under s. 71.07 (9e)~~, except the claims paid under par. (k)~~ that are not paid under par. (kf).

SECTION 612. 20.835 (2) (k) of the statutes, as created by 1997 Wisconsin Act 27, is repealed.

SECTION 612g. 20.835 (2) (ka) of the statutes is created to read:

20.835 **(2)** (ka) *Farmland tax relief credit; Indian gaming receipts.* All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 19. to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c).

SECTION 612m. 20.835 (2) (kf) of the statutes is created to read:

20.835 **(2)** (kf) *Earned income tax credit; temporary assistance for needy families.* The amounts in the schedule to be used to pay, to the extent permitted under federal law, the claims approved under s. 71.07 (9e). All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

SECTION 612p. 20.835 (2) (q) of the statutes is amended to read:

20.835 **(2)** (q) *Farmland tax relief credit.* From the lottery fund, a sum sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c), to the extent that these claims are not paid under par. (ka). No moneys may be encumbered or expended from this appropriation account during the 1999–2001 fiscal biennium. **Vetoed In Part**

SECTION 613. 20.835 (4) (g) of the statutes is amended to read:

20.835 **(4)** (g) *County taxes.* All moneys received from the taxes imposed under s. 77.70 for distribution to the counties that enact an ordinance imposing taxes under that section and for interest payments on refunds under s. 77.76 (3), except that ~~1.5%~~ 1.75% of those tax revenues collected under that section shall be credited to the appropriation account under s. 20.566 (1) (g).

SECTION 613e. 20.835 (4) (gg) of the statutes is amended to read:

20.835 **(4)** (gg) *Local taxes.* ~~Ninety–seven percent of the~~ All moneys received from the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77, for distribution to the districts under subch. II of ch. 229 that impose those taxes, except that 2.55% of those moneys shall be credited to the appropriation account under s. 20.566 (1) (gg).

SECTION 613f. 20.855 (1) (bm) of the statutes is created to read:

20.855 **(1)** (bm) *Payment of canceled drafts.* A sum sufficient to pay demands under s. 20.912 (3).

SECTION 613g. 20.855 (1) (dm) of the statutes is created to read: **Vetoed In Part**

20.855 **(1)** (dm) *Interest reimbursements to federal government.* A sum sufficient to pay any interest reimbursement to the federal government relating to the timing of expenditures by the state pursuant to a federal government grant program or federal government contract.

SECTION 613h. 20.855 (1) (gm) of the statutes is created to read:

20.855 **(1)** (gm) *Payment of canceled drafts; program revenues.* From the appropriate program revenue and program revenue–service accounts, a sum sufficient to pay demands under s. 20.912 (3).

SECTION 613k. 20.855 (1) (rm) of the statutes is created to read:

20.855 **(1)** (rm) *Payment of canceled drafts; segregated revenues.* From the appropriate segregated funds, a sum sufficient to pay demands under s. 20.912 (3).

SECTION 613km. 20.855 (4) (f) of the statutes is amended to read:

20.855 **(4)** (f) *Supplemental title fee matching.* From the general fund, a sum sufficient equal to the amount of supplemental title fees collected under ~~s.~~ ss. 101.9208 (1) (dm) and 342.14 (3m), as determined under s. 85.037, to be transferred to the environmental fund on October 1 annually.

SECTION 613m. 20.855 (8) of the statutes is created to read:

20.855 **(8)** MARQUETTE UNIVERSITY. (a) *Dental clinic and education facility; principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grant under s. 13.48 (32), and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction grant under s. 13.48 (32).

SECTION 614. 20.865 (1) (cb) of the statutes is created to read:

20.865 **(1)** (cb) *Pay rate or range adjustments.* The amounts in the schedule to supplement the appropriations to the departments of corrections and health and family services for the increased costs of compensation, as determined by the secretary of administration, for employes of the departments of corrections and health and family services who perform duties relating to the supervision of inmates or residents and who received pay rate or range adjustments in 1999 under s. 230.09 (2) (b).

SECTION 615. 20.865 (1) (cb) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed. **Vetoed In Part**

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.

Vetoed In Part

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).

Vetoed In Part

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.

Vetoed In Part

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.

Vetoed In Part

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.

Vetoed In Part

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.

Vetoed In Part

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) (b) and (f), 20.190 (1) (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih) ~~and~~, (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (au), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

Vetoed In Part

SECTION 628b. 20.866 (1) (u) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated 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) (b) and (f), 20.190 (1) (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar), (at), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq) and (er), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

Vetoed In Part

SECTION 628m. 20.866 (2) (s) of the statutes, as affected by 1997 Wisconsin Act 27, section 727m, is amended to read:

20.866 **(2)** (s) *University of Wisconsin; academic facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~$791,009,100~~ $856,708,700 for this purpose.

SECTION 629e. 20.866 (2) (t) of the statutes is amended to read:

20.866 **(2)** (t) *University of Wisconsin; self–amortizing facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self–amortizing educational facilities. The state may contract public debt in an amount not to exceed ~~$438,248,600~~ $513,941,400 for this purpose. Of this amount, $4,500,000 is allocated only for the university of Wisconsin–Madison indoor practice facility for athletic programs and only at the time that ownership of the facility is transferred to the state.

SECTION 629m. 20.866 (2) (ta) of the statutes is created to read:

20.866 **(2)** (ta) *Natural resources; Warren Knowles–Gaylord Nelson stewardship 2000 program.* From the capital improvement fund a sum sufficient for the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917. The state may contract public debt in an amount not to exceed $460,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5) and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed $46,000,000 in each fiscal year.

SECTION 629s. 20.866 (2) (tc) of the statutes is amended to read:

20.866 **(2)** (tc) *Clean water fund program.* From the capital improvement fund, a sum sufficient for the ~~purpose~~ purposes of s. 281.57 (10m) and (10r) and to be transferred to the environmental improvement fund for the purposes of the clean water fund program and the urban storm water loan program under ss. 281.58 ~~and~~, 281.59 and 281.595. The state may contract public debt in an amount not to exceed ~~$552,743,200~~ $556,843,200 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, $8,250,000 is allocated to fund the minority business development and training program under s. 66.905 (2) (b). Moneys from this appropriation account may be expended for the ~~purpose~~ purposes of s. 281.57 (10m) and (10r) only in the amount by which the department of natural resources and the department of administration determine that moneys available under par. (tn) are insufficient for the ~~purpose for~~ purposes of s. 281.57 (10m) and (10r).

Vetoed In Part

Vetoed In Part

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~~ $26,210,000 for this purpose.

SECTION 631b. 20.866 (2) (te) of the statutes is amended to read:

20.866 **(2)** (te) *Natural resources; nonpoint source grants.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide funds for nonpoint source water pollution abatement projects under ~~ss.~~ s. ~~281.16 (5) and~~ 281.65. The state may contract public debt in an amount not to exceed ~~$34,363,600~~ $56,763,600 for this purpose. ~~Of this amount, $2,000,000 may only be used for projects selected under s. 281.65 (4c) (c) after July 1, 1998.~~

SECTION 632b. 20.866 (2) (tf) of the statutes is amended to read:

20.866 **(2)** (tf) *Natural resources; nonpoint source ~~compliance~~.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund ~~cost–sharing grants under s. 281.16 (5) for projects to assist agricultural facilities to comply with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3) and, before any rules promulgated under s. 281.16 (3) take effect, to fund~~ nonpoint source water pollution abatement projects under s. 281.65. The state may contract public debt in an amount not to exceed $2,000,000 for this purpose.

SECTION 632f. 20.866 (2) (th) of the statutes is created to read:

20.866 **(2)** (th) *Natural resources; urban nonpoint source cost–sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost–sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66. The state may contract public debt in an amount not to exceed $15,000,000 for this purpose.

Vetoed In Part

SECTION 632h. 20.866 (2) (ti) of the statutes is created to read:

Vetoed In Part

20.866 **(2)** (ti) *Natural resources; municipal flood control and riparian restoration.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide municipal flood control and riparian restoration cost–sharing grants under s. 281.665. The state may contract public debt in an amount not to exceed $13,000,000 for this purpose.

Vetoed In Part

SECTION 632m. 20.866 (2) (tk) of the statutes is amended to read:

20.866 **(2)** (tk) *Natural resources; environmental segregated fund supported administrative facilities.*

From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage and maintenance facilities. The state may contract public debt in an amount not to exceed ~~$145,000~~ $3,050,900 for this purpose.

SECTION 633. 20.866 (2) (tL) of the statutes is amended to read:

20.866 **(2)** (tL) *Natural resources; segregated revenue supported dam* ~~*maintenance, repair, modification, abandonment and removal*~~ *safety projects*. From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts ~~in conducting~~ for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects under s. 31.385. The state may contract public debt in an amount not to exceed $6,350,000 for this purpose.

SECTION 633g. 20.866 (2) (tn) of the statutes is amended to read:

20.866 **(2)** (tn) *Natural resources; pollution abatement and sewage collection facilities.* From the capital improvement fund, a sum sufficient to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 281.57 and to upgrade or replace a drinking water treatment plant under s. 281.57 (10t) including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and encumbrances authorized under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57 (9m) (a) and except as provided in s. 281.57 (10m), (10r) and (10t). Payments may also be made from this appropriation for expenditures and encumbrances resulting from disputed costs under s. 281.57 if an appeal of an eligibility determination is filed before July 1, 1990, and the result of the dispute requires additional funds for an eligible project. The state may contract public debt in an amount not to exceed $902,449,800 for this purpose.

Vetoed In Part

SECTION 633m. 20.866 (2) (tr) of the statutes is amended to read:

20.866 **(2)** (tr) *Natural resources; recreation development.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed ~~$23,061,500~~ $23,173,500 for this purpose.

SECTION 633p. 20.866 (2) (tu) of the statutes is amended to read:

20.866 **(2)** (tu) *Natural resources; segregated revenue supported facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities and to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed ~~$18,746,600~~ $23,376,600 for this purpose.

SECTION 633r. 20.866 (2) (tv) of the statutes is amended to read:

20.866 **(2)** (tv) *Natural resources; general fund supported administrative facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment, storage or maintenance facilities. The state may contract public debt in an amount not to exceed ~~$8,295,800~~ $10,882,400 for this purpose.

SECTION 634. 20.866 (2) (tx) of the statutes is amended to read:

20.866 **(2)** (tx) *Natural resources; dam* ~~*maintenance, repair, modification, abandonment and removal*~~ *safety projects*. From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts ~~in conducting~~ for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects under s. 31.385. The state may contract public debt in an amount not to exceed $5,500,000 for this purpose.

SECTION 634m. 20.866 (2) (tz) of the statutes is amended to read:

20.866 **(2)** (tz) *Natural resources; Warren Knowles–Gaylord Nelson stewardship program.* From the capital improvement fund a sum sufficient for the purposes specified in s. 23.0915 (1). The state may contract public debt in an amount not to exceed $231,000,000 for this purpose. ~~Except as provided in s. 23.0915 (2), the amounts expended under this paragraph and the amounts received and expended by the state for land acquisition under 16 USC 669–669i, 777–777i and 460L–460L–22 may not exceed $25,000,000 in each fiscal year.~~

SECTION 635. 20.866 (2) (uv) of the statutes is amended to read:

20.866 **(2)** (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~$15,000,000~~ $22,000,000 for this purpose.

SECTION 636. 20.866 (2) (uw) of the statutes is amended to read:

20.866 **(2)** (uw) *Transportation; rail acquisitions and improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property

acquisitions and improvements under s. 85.08 (4m) (c) and (d). The state may contract public debt in an amount not to exceed ~~$19,000,000~~ $23,500,000 for these purposes.

SECTION 636d. 20.866 (2) (ux) of the statutes is amended to read:

20.866 **(2)** (ux) *Corrections; correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve adult and juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~$594,680,500~~ $697,679,300 for this purpose.

SECTION 636p. 20.866 (2) (uz) of the statutes is amended to read:

20.866 **(2)** (uz) *Corrections; juvenile correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~$26,441,500~~ $27,726,500 for this purpose.

SECTION 636t. 20.866 (2) (v) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

20.866 **(2)** (v) *Health and family services; mental health and secure treatment facilities.* From the capital improvement fund, a sum sufficient for the department of health and family services to acquire, construct, develop, enlarge or extend mental health and secure treatment facilities. The state may contract public debt in an amount not to exceed ~~$118,712,500~~ $125,705,700 for this purpose.

SECTION 637. 20.866 (2) (we) of the statutes is amended to read:

20.866 **(2)** (we) *Agriculture; soil and water.* From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The state may contract public debt in an amount not to exceed ~~$3,000,000~~ $6,575,000 for this purpose.

SECTION 637e. 20.866 (2) (wf) of the statutes is created to read:

20.866 **(2)** (wf) *Agriculture; conservation reserve enhancement.* From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to fund the conservation reserve enhancement program under s. 93.70. The state may contract public debt in an amount not to exceed $40,000,000 for this purpose.

SECTION 638b. 20.866 (2) (xb) of the statutes is amended to read:

20.866 **(2)** (xb) *Building commission; refunding corporation self–amortizing debt.* From the capital improvement fund, a sum sufficient to fund or refund the whole or any part of any unpaid indebtedness used to finance self–amortizing facilities in which program revenues or corresponding segregated revenues from program receipts reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed ~~$1,940,000~~ $870,000 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the purposes for which the debt was refinanced. The refunding authority provided in this paragraph may be used only if the true interest costs to the state can be reduced thereby.

SECTION 638c. 20.866 (2) (y) of the statutes is amended to read:

20.866 **(2)** (y) *Building commission; housing state departments and agencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~$259,727,600~~ $328,146,600 for this purpose.

SECTION 638g. 20.866 (2) (yg) of the statutes is amended to read:

20.866 **(2)** (yg) *Building commission; project contingencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of funding project contingencies for projects enumerated in the authorized state building program for state departments and agencies. The state may contract public debt in an amount not to exceed ~~$28,233,200~~ $36,188,400 for this purpose.

SECTION 638n. 20.866 (2) (ym) of the statutes is amended to read:

20.866 **(2)** (ym) *Building commission; capital equipment acquisition.* From the capital improvement fund, a sum sufficient to the state building commission to acquire capital equipment for state departments and agencies. The state may contract public debt in an amount not to exceed ~~$84,312,100~~ $105,370,400 for this purpose.

SECTION 638r. 20.866 (2) (z) (intro.) of the statutes is amended to read:

20.866 **(2)** (z) *Building commission; other public purposes.* (intro.) From the capital improvement fund, a sum sufficient to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~$919,466,000~~ $1,056,769,500 for this purpose. Of this amount:

SECTION 638w. 20.866 (2) (zbm) of the statutes is created to read:

20.866 **(2)** (zbm) *Marquette University; dental clinic and education facility.* From the capital improvement fund, a sum sufficient to provide a grant to Marquette University to aid in the construction of a dental clinic and education facility. The state may contract public debt in an amount not to exceed $15,000,000 for this purpose.

SECTION 638x. 20.866 (2) (zbp) of the statutes is created to read:

20.866 **(2)** (zbp) *Swiss cultural center.* From the capital improvement fund, a sum sufficient for the building commission to provide grants to the organization known as the Swiss Cultural Center to aid in the construction of a Swiss cultural center in the village of New Glarus. The state may contract public debt in an amount not to exceed $1,000,000 for this purpose.

SECTION 638y. 20.866 (2) (zbr) of the statutes is created to read:

20.866 **(2)** (zbr) *Milwaukee Police Athletic League; youth activities center.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to the Milwaukee Police Athletic League to aid in the construction of the youth activities center specified in s. 13.48 (34). The state may contract public debt in an amount not to exceed $1,000,000 for this purpose.

SECTION 639. 20.866 (2) (zc) of the statutes is amended to read:

20.866 **(2)** (zc) *Technology for educational achievement in Wisconsin board; school district educational technology infrastructure ~~loans~~ financial assistance.* From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board to ~~make subsidized~~ provide educational technology infrastructure ~~loans~~ financial assistance to school districts under s. 44.72 (4). The state may contract public debt in an amount not to exceed $100,000,000 for this purpose.

SECTION 640. 20.866 (2) (zcm) of the statutes is amended to read:

20.866 **(2)** (zcm) *Technology for educational achievement in Wisconsin board; public library educational technology infrastructure ~~loans~~ financial assistance.* From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board to ~~make subsidized~~ provide educational technology infrastructure ~~loans~~ financial assistance to public library boards under s. 44.72 (4). The state may contract public debt in an amount not to exceed $10,000,000 for this purpose.

SECTION 641g. 20.866 (2) (zd) of the statutes is amended to read:

20.866 **(2)** (zd) *Educational communications board; educational communications facilities.* From the capital improvement fund, a sum sufficient for the educational communications board to acquire, construct, develop, enlarge or improve educational communications facilities. The state may contract public debt in an amount not to exceed ~~$8,354,100~~ $8,658,100 for this purpose.

SECTION 641m. 20.866 (2) (zfm) of the statutes is created to read: **Vetoed In Part**

20.866 **(2)** (zfm) *Historical society; heritage trust program.* From the capital improvement fund, a sum sufficient for the historical society to award grants under s. 44.49. The state may contract public debt in an amount not to exceed $20,000,000 for this purpose. The total amount of debt authorized under this paragraph may not exceed the following amounts on the following dates:

1. Prior to July 1, 2000, $2,000,000.
2. July 1, 2000, to June 30, 2001, $4,000,000.
3. July 1, 2001, to June 30, 2002, $6,000,000.
4. July 1, 2002, to June 30, 2003, $8,000,000.
5. July 1, 2003, to June 30, 2004, $10,000,000.
6. July 1, 2004, to June 30, 2005, $12,000,000.
7. July 1, 2005, to June 30, 2006, $14,000,000.
8. July 1, 2006, to June 30, 2007, $16,000,000.
9. July 1, 2007, to June 30, 2008, $18,000,000.
10. July 1, 2008, to June 30, 2009, $20,000,000.

SECTION 641p. 20.866 (2) (zh) (title) of the statutes is amended to read:

20.866 **(2)** (zh) (title) *Public instruction; state ~~schools~~ school, state center and library facilities.*

SECTION 641r. 20.866 (2) (zj) of the statutes is amended to read:

20.866 **(2)** (zj) *Military affairs; armories and military facilities.* From the capital improvement fund, a sum sufficient for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~$19,590,200~~ $20,417,300 for this purpose.

SECTION 642. 20.866 (2) (zn) of the statutes is amended to read:

20.866 **(2)** (zn) *Veterans affairs; self–amortizing mortgage loans.* From the capital improvement fund, a sum sufficient for the department of veterans affairs for loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an amount not to exceed ~~$1,807,500,000~~ $2,020,500,000 for this purpose.

SECTION 642e. 20.866 (2) (zp) of the statutes is amended to read:

20.866 **(2)** (zp) *Veterans affairs; self–amortizing ~~housing~~ facilities.* From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve ~~housing~~ facilities at state veterans homes. The state may contract public debt in an amount not to exceed ~~$2,031,900~~ $15,941,000 for this purpose.

SECTION 642m. 20.866 (2) (zx) of the statutes is amended to read:

20.866 **(2)** (zx) *State fair park board; board facilities.* From the capital improvement fund, a sum sufficient for

the state fair park board to acquire, construct, develop, enlarge or improve state fair park board facilities. The state may contract public debt in an amount not to exceed ~~$2,000,000~~ $3,887,100 for this purpose.

SECTION 642r. 20.866 (2) (zz) of the statutes is amended to read:

20.866 **(2)** (zz) *State fair park board; self–amortizing facilities.* From the capital improvement fund, a sum sufficient to the state fair park board to acquire, construct, develop, enlarge or improve facilities at the state fair park in West Allis. The state may contract public debt not to exceed ~~$27,850,000~~ $44,787,100 for this purpose.

SECTION 642t. 20.867 (2) (ka) of the statutes is repealed.

SECTION 642x. 20.867 (3) (bp) of the statutes is created to read:

20.867 **(3)** (bp) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of a Swiss cultural center in the village of New Glarus, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of a Swiss cultural center in the village of New Glarus.

SECTION 642y. 20.867 (3) (br) of the statutes is created to read:

20.867 **(3)** (br) *Principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of the youth activities center specified in s. 13.48 (34), and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the construction of that youth activities center.

SECTION 643. 20.867 (3) (h) of the statutes is amended to read:

20.867 **(3)** (h) *Principal repayment, interest and rebates.* A sum sufficient to guarantee full payment of principal and interest costs for self–amortizing or partially self–amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) ~~(kd) and~~ (ih), (kd) and (km), 20.370 (7) (eq) and 20.485 (1) (go) if moneys available in those appropriations are insufficient to make full payment, and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) ~~(kd) or~~ (ih), (kd) or (km) or 20.485 (1) (go) is insufficient to make full payment of those amounts. All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from program revenue appropriations and corresponding appropriations from program receipts in segregated funds and including actions to enforce contractual obligations that will result in additional program revenue for the state, to ensure recovery of the amounts advanced.

SECTION 643m. 20.870 of the statutes is repealed.

SECTION 643p. 20.907 (1c) of the statutes is created to read: **Vetoed In Part**

20.907 **(1c)** RECEIPT OF CERTAIN MONEYS. No state agency may encumber or expend any moneys, other than moneys received as forfeitures imposed under state law, received from any person pursuant to an agreement to settle a civil claim or pursuant to a judgment in a civil action until the joint committee on finance has approved a plan for the expenditure of the moneys.

SECTION 643s. 20.907 (1m) of the statutes is amended to read:

20.907 **(1m)** REPORTING. State agencies shall, by December 1 annually, submit a report to the joint committee on finance and the department of administration on expenditures made by the agency during the preceding fiscal year from nonfederal funds received as gifts, grants, bequests or devises and from moneys, other than moneys received as forfeitures imposed under state law, received from any person pursuant to an agreement to settle a civil claim or pursuant to a judgment in a civil action. The department of administration shall prescribe a form, which the department may modify as appropriate for the various state agencies, that each state agency must use to report its expenditures as required under this subsection. The form shall require the expenditures to be reported in aggregate amounts as determined by the department of administration. The report shall also include a listing of in–kind contributions, including goods and services, received and used by the state agency during the preceding fiscal year.

SECTION 644e. 20.912 (2) of the statutes is amended to read:

20.912 **(2)** ~~RESERVE FOR~~ PAYMENT OF CANCELED DRAFTS. ~~All amounts credited pursuant to sub. (1) shall be credited by the department of administration to a continuing reserve for checks, share drafts and other drafts canceled of the fund concerned, to be used for the payment of demands under sub. (3).~~ Any check, share draft or other draft canceled on which demand for payment has not been presented within 6 years from date of issue shall ~~be reverted from the reserve for canceled checks, share drafts and other drafts to the general revenues of the fund concerned by the department of administration~~ not be paid under sub. (3).

SECTION 644p. 20.912 (3) of the statutes is amended to read:

20.912 **(3)** REISSUE OF CANCELED CHECKS, SHARE DRAFTS AND OTHER DRAFTS. ~~When~~ Subject to sub. (2), when the payee or person entitled to any check, share

draft or other draft canceled under sub. (1) by the state treasurer, or the payee or person entitled to any warrant so canceled by the department of administration, demands such check, share draft, other draft or warrant or payment thereof, the department of administration shall issue a new warrant therefor, to be paid ~~out of the proper fund by the state treasurer~~ from the appropriate appropriation account under s. 20.855 (1) (bm), (gm) or (rm).

SECTION 645a. 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 645L. 20.921 (2) (a) of the statutes is amended to read:

20.921 **(2)** (a) Whenever it becomes necessary in pursuance of any federal or state law or court–ordered assignment of income under s. 46.10 (14) (e), 301.12 (14) (e), 767.23 (1) (L), 767.25 (4m) (c)~~,~~ or 767.265~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.~~ to make deductions from the salaries of state officers or employes or employes of the University of Wisconsin Hospitals and Clinics Authority, the state agency or authority by which the officers or employes are employed is responsible for making such deductions and paying over the total thereof for the purposes provided by the laws or orders under which they were made.

SECTION 645t. 20.923 (4) (a) 4q. of the statutes is repealed.

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 648r. 20.923 (6) (hq) of the statutes is created to read:

20.923 **(6)** (hq) State fair park board: staff employes.

SECTION 649. 20.923 (17) of the statutes is repealed.

Vetoed In Part

SECTION 649m. 20.924 (1) (im) of the statutes is created to read:

20.924 **(1)** (im) Shall not enter into any lease or other contract that provides for the construction of any building, structure or facility, or portion thereof, for initial occupancy by the state and that contains an option for the state to purchase the building, structure or facility unless the construction and purchase of the building, structure or facility is enumerated in the authorized state building program prior to entering into the lease or other contract.

SECTION 649n. 20.924 (1) (j) of the statutes is created to read:

20.924 **(1)** (j) Shall not enter into any lease or other contract that provides for the construction of any building, structure or facility, or portion thereof, for initial occupancy by the state and that contains an option for the state to purchase the building, structure or facility unless the seller or lessor agrees to all of the following requirements:

1. Bids or competitive sealed proposals will be submitted to the seller or lessor in accordance with the procedure for soliciting and submitting bids or competitive sealed proposals to the department of administration for contracts entered into by the state.

2. The contractor or contractors who construct the building, structure or facility, or portion thereof, will ensure that at least 5% of the total amount expended for construction of the building, structure or facility, or portion thereof, is awarded to contractors or subcontractors who are minority businesses, as defined in s. 16.75 (3m) (a), and that the department of administration is empowered to enforce this requirement.

3. The seller or lessor will do all of the following:

a. Not permit any employe working on the building, structure or facility, or portion thereof, who would be entitled to receive the prevailing wage rate under s. 103.49 and who would not be required or permitted to work more than the prevailing hours of labor, if the building, structure or facility, or portion thereof, were a project of public works subject to s. 103.49, to be paid less than the prevailing wage rate or to be required or permitted to work more than the prevailing hours of labor, except as permitted under s. 103.49 (2).

b. Require any contractor, subcontractor or agent thereof performing work on the building, structure or facility, or portion thereof, to keep and permit inspection of records in the same manner as a contractor, subcontractor or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to keep and permit inspection of records under s. 103.49 (5).

c. Otherwise comply with s. 103.49 in the same manner as a state agency contracting for the erection, construction, remodeling, repairing or demolition of a project of public works is required to comply with s. 103.49 and require any contractor, subcontractor or agent thereof performing work on the building, structure or facility, or portion thereof, to comply with s. 103.49 in the same manner as a contractor, subcontractor or agent thereof performing work on a project of public works that is subject to s. 103.49 is required to comply with s. 103.49.

SECTION 649p. 20.924 (2) of the statutes is repealed.

SECTION 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, 46.99, 46.995, ~~46.997,~~ 253.05, 253.07, 253.08 or 253.085 or 42 USC 701 to 710, if any of the following applies:

SECTION 652m. 20.928 (1m) of the statutes is created to read:

20.928 **(1m)** Notwithstanding sub. (1), the board of regents of the University of Wisconsin System may not include in any certification to the department of administration under sub. (1) any sum to pay the costs resulting from employer contributions for the payment of health insurance premiums for any teacher described under s. 40.02 (25) (b) 1m., for coverage before the first day of the 7th month beginning after the teacher begins employment with the state.

SECTION 653. 20.930 of the statutes is amended to read:

20.930 Attorney fees. ~~No~~ Except as provided in ss. 46.27 (7g) (h), 49.496 (3) (f) and 49.682 (6), no state agency in the executive branch may employ any attorney until such employment has been approved by the governor.

SECTION 655. 21.25 (1) of the statutes is amended to read:

21.25 **(1)** The department of military affairs shall administer the Badger Challenge program for disadvantaged youth. The department shall recruit 10% of the 1999–2000 class of the program from families who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq. The department shall recruit 25% of the 2000–01 class of the program from families who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq. The department of military affairs shall promulgate rules for administering the Badger Challenge program.

SECTION 656. 21.49 (2) (e) of the statutes is amended to read:

21.49 **(2)** (e) Delinquent in child support or maintenance payments and who does not owe past support, medical expenses or birth expenses, as established by the ~~receipt by the department of a certification under s. 49.855 (7)~~ appearance of the guard member's name on the statewide support lien docket under s. 49.854 (2) (b), unless the guard member provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 658m. 23.09 (2) (d) 6. of the statutes is amended to read:

23.09 **(2)** (d) 6. For preservation of any endangered species ~~defined in~~ or threatened species under s. 29.604 ~~(2)~~.

SECTION 659m. 23.09 (2) (d) 14. of the statutes is amended to read:

23.09 **(2)** (d) 14. For habitat areas and fisheries.

SECTION 659p. 23.09 (2) (d) 16. of the statutes is created to read:

23.09 **(2)** (d) 16. For bluff protection under s. 30.24.

SECTION 659t. 23.09 (2dm) (b) of the statutes is amended to read:

23.09 **(2dm)** (b) The department shall allocate at least $1,720,000 of the moneys appropriated under s. 20.866 (2) (tz) in each fiscal year for the acquisition of lands within the boundaries of projects established after January 1, 1988. This paragraph does not apply after June 30, 2000.

SECTION 661b. 23.09 (2p) (b) of the statutes is amended to read:

23.09 **(2p)** (b) ~~Beginning July 1, 1990, and except~~ Except as provided in par. (c), an amount of money equal to the value of the donation under par. (a) shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for land acquisition activities for the same project for which any donation was made on or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations. This paragraph does not apply to transfers of land from agencies other than the department.

SECTION 661c. 23.09 (2p) (c) of the statutes is renumbered 23.09 (2p) (c) 1. and amended to read:

23.09 **(2p)** (c) 1. If the moneys ~~to be released~~ allocated under par. (b) for release from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (b) will exceed the expenditure limit under sub. (2r) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (2r), as adjusted

under s. 23.0915 (2) and after deducting the allocation under sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (2r), as adjusted under s. 23.0915 (2) and after deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released. This subdivision does not apply after June 30, 2000.

SECTION 661d. 23.09 (2p) (c) 2. of the statutes is created to read:

23.09 **(2p)** (c) 2. If the moneys allocated under par. (b) for release from the appropriation under s. 20.866 (2) (ta) to match a donation under par. (b) will exceed the annual bonding authority for the subprogram under s. 23.0917 (3) for a given fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as adjusted under s. 23.0917 (5), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 661e. 23.09 (19) (a) 2. of the statutes is amended to read:

23.09 **(19)** (a) 2. "~~Local governmental~~ Governmental unit" means a city, village, town, county, lake sanitary district, as defined in s. 30.50 (4q), ~~or~~ public inland lake protection and rehabilitation district or the Kickapoo reserve management board.

SECTION 661f. 23.09 (19) (a) 3. of the statutes is created to read:

23.09 **(19)** (a) 3. "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

SECTION 661g. 23.09 (19) (b) of the statutes is amended to read:

23.09 **(19)** (b) Any ~~local~~ governmental unit may apply for state aid for the acquisition of lands and rights in lands for urban green space. Each application shall include a comprehensive description of the proposal for urban green space acquisition, plans for development and management of the land and any other information required by the department.

SECTION 661h. 23.09 (19) (c) (intro.) of the statutes is amended to read:

23.09 **(19)** (c) (intro.) The department may ~~approve~~ award grants from the appropriation under s. 20.866 (2) (tz) for the acquisition of land or rights in land for urban green space under this subsection for the following purposes:

SECTION 661i. 23.09 (19) (cg) of the statutes is created to read:

23.09 **(19)** (cg) The department may award grants from the appropriation under s. 20.866 (2) (ta) for the acquisition of land or rights in land for urban green space under this subsection only for the purposes of nature–based outdoor recreation.

SECTION 661j. 23.09 (19) (d) of the statutes is amended to read:

23.09 **(19)** (d) Grants under this subsection shall be for up to 50% of the ~~cost of acquiring~~ acquisition costs of the land or the rights in land for the urban green space. The ~~local~~ governmental unit is responsible for the remainder of the acquisition ~~cost~~ costs.

SECTION 661k. 23.09 (19) (e) of the statutes is amended to read:

23.09 **(19)** (e) As part of its approval of a grant, the department shall specify for which of the purposes listed in par. (c) the ~~local~~ governmental unit may use the land or the rights in the land acquired with the grant. The ~~local~~ governmental unit may not convert the land or the rights in the land acquired under this subsection to a use that is inconsistent with the uses as approved by the department.

SECTION 661L. 23.09 (19) (f) of the statutes is renumbered 23.09 (19) (f) 1. and amended to read:

23.09 **(19)** (f) 1. ~~Title~~ Except as provided in subd. 2., title to land or to rights in land acquired under this subsection shall vest in the ~~local~~ governmental unit.

SECTION 661m. 23.09 (19) (f) 2. of the statutes is created to read:

23.09 **(19)** (f) 2. Land or rights in land acquired under this subsection by the Kickapoo reserve management board shall vest in the state.

SECTION 661n. 23.09 (19) (h) of the statutes is amended to read:

23.09 **(19)** (h) The department may not approve a grant under this subsection unless the urban green space is identified in any master plan that the ~~local~~ governmental unit may have.

SECTION 661o. 23.09 (19) (j) of the statutes is amended to read:

23.09 **(19)** (j) Any ~~local~~ governmental unit that acquires an area for gardening with a grant under this subsection may charge fees for use of the garden that are sufficient to recover the costs of maintaining the area. The ~~local~~ governmental unit may reduce or waive any fee charged based on the user's inability to pay.

SECTION 661p. 23.09 (19) (k) of the statutes is amended to read:

23.09 **(19)** (k) Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $750,000 in each fiscal year for urban green space under this subsection and for grants for urban green space under s. 23.096.

SECTION 661q. 23.09 (19) (L) of the statutes is created to read:

23.09 **(19)** (L) The department may not award a grant from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

SECTION 661u. 23.09 (20) (a) of the statutes is renumbered 23.09 (20) (am) and amended to read:

23.09 **(20)** (am) Any ~~city, village, town or county~~ governmental unit may apply for state aids for the acquisition and development of recreational lands and rights in lands. State aids under this subsection that are expended from the appropriation under s. 20.866 (2) (ta) may only be used for nature–based outdoor recreation. State aids received by a municipality shall be used for the development of its park system in accordance with priorities based on comprehensive plans submitted with the application and consistent with the outdoor recreation program under s. 23.30. ~~The~~ An application under this subsection shall be made in the manner the department prescribes.

SECTION 661v. 23.09 (20) (ab) of the statutes is created to read:

23.09 **(20)** (ab) In this subsection:

1. "Governmental unit" means a municipality or the Kickapoo reserve management board.

2. "Municipality" means a city, village, town or county.

3. "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

SECTION 661w. 23.09 (20) (b) of the statutes is amended to read:

23.09 **(20)** (b) State aid under this subsection is limited to no more than 50% of the ~~cost of acquiring~~ acquisition costs and ~~developing~~ the development costs of recreation lands and other outdoor recreation facilities. Costs associated with operation and maintenance of parks and other outdoor recreational facilities established under this subsection are not eligible for state aid. Administrative costs of acquiring lands or land rights are not included in the ~~"cost of land"~~ acquisition costs eligible for state aid under this subsection. Title to lands or rights in lands acquired by a municipality under this subsection shall vest in the ~~local unit of government~~ municipality, but such land shall not be converted to uses inconsistent with this subsection without prior approval of the state and proceeds from the sale or other disposal of such lands shall be used to promote the objectives of this subsection.

SECTION 661x. 23.09 (20) (d) of the statutes is amended to read:

23.09 **(20)** (d) Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $2,250,000 each fiscal year for local park aids under this subsection and for grants for this purpose under s. 23.096.

SECTION 661y. 23.09 (20) (e) of the statutes is created to read:

23.09 **(20)** (e) The department may not award state aid under this subsection from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

SECTION 661z. 23.09 (20m) of the statutes is created to read:

23.09 **(20m)** GRANTS FOR ACQUISITION OF DEVELOPMENT RIGHTS. (a) In this subsection:

1. "Governmental unit" means a city, village, town, county or the Kickapoo reserve management board.

2. "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

3. "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

(b) The department shall establish a program to award grants from the appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit conservation organizations to acquire development rights in land for nature–based outdoor recreation. The grants shall be limited to no more than 50% of the acquisition costs of the development rights.

SECTION 662p. 23.09 (22) of the statutes is created to read:

23.09 **(22)** INFORMATION TO BE INCLUDED IN GEOGRAPHIC INFORMATION SYSTEMS. The department shall include physical and chemical information about groundwater and soil in its geographic information systems.

SECTION 663b. 23.0915 (1) (intro.) of the statutes is amended to read:

23.0915 **(1)** DESIGNATED AMOUNTS. (intro.) The legislature intends that the department will expend the following designated amounts under the Warren Knowles–Gaylord Nelson stewardship program from the appropriation under s. 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures beginning with fiscal year 1990–91 and ending in fiscal year 1999–2000, except as provided in ~~pars. (L), (Lg), (Lr), (m) and (n)~~ sub. (2c):

SECTION 663c. 23.0915 (1) (L) of the statutes is repealed.

SECTION 663d. 23.0915 (1) (Lg) of the statutes is amended to read:

23.0915 **(1)** (Lg) ~~Henry~~ Hank Aaron State ~~Park~~ Trail, a total of ~~$290,000, to be expended beginning in fiscal year 1997–98 and ending in fiscal year 1999–2000~~ $1,360,000.

SECTION 663e. 23.0915 (1) (Lr) of the statutes is amended to read:

23.0915 **(1)** (Lr) Flambeau Mine Trail, a total of $100,000, to be expended beginning in fiscal year 1997–98 ~~and ending in fiscal year 1999–2000~~.

SECTION 663f. 23.0915 (1) (m) of the statutes is amended to read:

23.0915 **(1)** (m) Horicon ~~marsh~~ Marsh interpretative center, a total of $250,000, to be expended beginning in fiscal year 1991–92 ~~and ending in fiscal year 1999–2000~~.

SECTION 663g. 23.0915 (1) (n) of the statutes is amended to read:

23.0915 **(1)** (n) Crex Meadows Wildlife Area education center, a total of $250,000, to be expended beginning in fiscal year 1997–98 ~~and ending in fiscal year 1999–2000~~.

Vetoed In Part

SECTION 663gm. 23.0915 (1m) (b) of the statutes is repealed.

SECTION 663h. 23.0915 (2) (a) of the statutes is amended to read:

23.0915 **(2)** (a) Beginning with fiscal year 1990–91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the department may adjust the expenditure limit under the Warren Knowles–Gaylord Nelson stewardship program for that purpose by raising the expenditure limit, as it may have been previously adjusted under this paragraph and par. (b), for the next fiscal year by the amount that equals the difference between the amount designated for that purpose and the amount expended for that purpose in that given fiscal year.

SECTION 663i. 23.0915 (2) (b) of the statutes is amended to read:

23.0915 **(2)** (b) Beginning with fiscal year 1990–91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the department shall adjust the expenditure limit under the Warren Knowles–Gaylord Nelson stewardship program for that purpose by lowering the expenditure limit, as it may have been previously adjusted under this paragraph and par. (a), for the next fiscal year by an amount equal to the remainder calculated by subtracting the amount designated for that purpose from the amount expended, as it may be affected under par. (c) or (d), for that purpose in that given fiscal year.

SECTION 663j. 23.0915 (2) (e) of the statutes is created to read:

23.0915 **(2)** (e) Paragraphs (a) to (d) do not apply after June 30, 2000.

SECTION 663k. 23.0915 (2c) of the statutes is created to read:

23.0915 **(2c)** EXPENDITURES AFTER JULY 1, 1999. (a) In this subsection:

1. "Commit for expenditure" means to encumber, set aside or otherwise commit or to expend without having previously encumbered or otherwise committed.

2. "Moneys available for expenditure" means moneys that have not been committed for expenditure.

(b) If the amount of moneys available for expenditure for a purpose under sub. (1) (a) to (n) on July 1, 2000, is greater than zero, the department may expend for that purpose any portion of or all of the moneys available for expenditure in one or more subsequent fiscal years.

(c) If the amount of moneys available for expenditure for a purpose under sub. (1) (a) to (k) is not sufficient for a given project or activity and if the project or activity is uniquely valuable in conserving the natural resources of the state, the department may expend for that project or activity moneys that are designated for any of the purposes under sub. (1) (a) to (k) in one or more subsequent years.

SECTION 663L. 23.0915 (2j) (a) of the statutes is amended to read:

23.0915 **(2j)** (a) From the moneys appropriated under s. 20.866 (2) (tz), ~~before June 30, 2000,~~ the department shall expend $100,000 for the Flambeau Mine Trail and Rusk County visitor center.

SECTION 663m. 23.0915 (2m) (title) of the statutes is amended to read:

23.0915 **(2m)** (title) MONEYS FOR ~~HENRY~~ HANK AARON ~~STATE PARK~~ STATE TRAIL.

SECTION 663n. 23.0915 (2m) (a) of the statutes is amended to read:

23.0915 **(2m)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside ~~for the period of time specified in sub. (1) (L)~~ $400,000 to be used only for the development of ~~a state park to be located in the Menomonee valley in the city of Milwaukee and to be designated as~~ the ~~Henry~~ Hank Aaron State ~~Park~~ Trail.

SECTION 663o. 23.0915 (2m) (b) of the statutes is repealed.

SECTION 663p. 23.0915 (2m) (c) of the statutes is renumbered 23.0915 (2m) (g) and amended to read:

23.0915 **(2m)** (g) None of the moneys set aside under ~~par. (a)~~ this subsection may be expended for stadium parking or for any other purpose not directly related to the development of the ~~state park~~ Hank Aaron State Trail.

SECTION 663q. 23.0915 (2m) (e) of the statutes is amended to read:

23.0915 **(2m)** (e) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside ~~for the period of time specified in sub. (1) (Lg)~~ $290,000 for the ~~Henry~~ Hank Aaron State ~~Park~~ Trail ~~in the Henry Aaron State Park~~.

SECTION 663r. 23.0915 (2m) (f) of the statutes is created to read:

23.0915 **(2m)** (f) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside $670,000 for the Hank Aaron State Trail. For purposes of sub. (1) moneys expended under this paragraph shall be treated as follows:

1. As moneys expended for urban rivers, $400,000.

2. As moneys expended for stream bank protection, $200,000.

3. As moneys expended for urban green space, $70,000.

SECTION 663rm. 23.0915 (2p) of the statutes is created to read:

23.0915 **(2p)** UPPER WHITING PARK. From the appropriation under s. 20.866 (2) (tz), the department shall provide to the village of Whiting $38,000 in fiscal year 1999–2000 for the development of Upper Whiting Park. Notwithstanding s. 23.09 (20) (b), the 50% matching requirement under s. 23.09 (20) (b) does not apply to the state aid provided under this subsection. For purposes of sub. (1), moneys provided under this subsection shall be treated as moneys for local park aids.

SECTION 663s. 23.0915 (3) (a) of the statutes is amended to read:

23.0915 **(3)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during fiscal year 1991–92 ~~for the period of time specified in sub. (1) (m)~~ $250,000 for a project to develop a vacant building to be used as an interpretative and administrative center for the Horicon ~~marsh~~ Marsh area. Expenditures under this paragraph shall be made in a manner that, for every $3 received by the department from private grants, gifts or bequests for the project, $1 will be expended from the moneys under this paragraph.

SECTION 663t. 23.0915 (3m) (a) of the statutes is amended to read:

23.0915 **(3m)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during fiscal year 1997–98 ~~for the period of time specified in sub. (1) (n)~~ $250,000 for a project to construct and equip a wildlife education center for Crex Meadows Wildlife Area. Expenditures under this paragraph shall be made in a manner that, for every $3 received by the department from private grants, gifts or bequests for the project, $1 will be expended from the moneys under this paragraph.

SECTION 663u. 23.0917 of the statutes is created to read:

23.0917 Warren Knowles–Gaylord Nelson stewardship 2000 program. (1) DEFINITIONS. In this section:

(a) "Annual bonding authority" means the amount that may be obligated under a subprogram for a fiscal year.

(am) "Available bonding authority" means the annual bonding authority as it may be adjusted under sub. (4g) (b), (4m) (k), (5) or (5m).

(b) "Baraboo Hills" means the area that is within the boundaries of Baraboo Range National Natural Landmark.

(c) "Department land" means an area of land that is owned by the state, that is under the jurisdiction of the department and that is used for one of the purposes specified in s. 23.09 (2d).

(d) "Land" means land in fee simple, conservation easements, other easements in land and development rights in land.

(dm) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

(e) "Obligate" means to encumber or otherwise commit or to expend without having previously encumbered or otherwise committed.

(f) "Owner's acquisition price" means the amount equal to the price the owner paid for the land or if the owner acquired the land as a gift or devise, the amount equal to the appraised value of the land at the time it was transferred to the owner.

(g) "Remaining bonding authority" means the amount of moneys that has not been obligated.

(i) "Total bonding authority" means the total amount that may be obligated under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000 program over the entire duration of the program.

(2) ESTABLISHMENT. (a) The department shall establish the following subprograms under the Warren Knowles–Gaylord Nelson stewardship 2000 program:

1. A subprogram for land acquisition for conservation and recreational purposes.

2. A subprogram for property development and local assistance.

3. A subprogram for bluff protection.

4. A subprogram for land acquisition in the Baraboo Hills for conservation purposes.

(b) Except as provided in sub. (5m), no moneys may be obligated from the appropriation under s. 20.866 (2) (ta) before July 1, 2000.

(3) LAND ACQUISITION SUBPROGRAM. (a) Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may obligate moneys under the subprogram for land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and grants for these purposes under s. 23.096.

(b) In obligating moneys under the subprogram for land acquisition, the department shall set aside in each fiscal year $3,000,000 that may be obligated only for state trails and the ice age trail and for grants for the state trails and the ice age trails under s. 23.096. The period of time during which the moneys shall be set aside in each fiscal year shall begin on the July 1 of the fiscal year and end on the June 30 of the same fiscal year.

(c) In obligating moneys under the subprogram for land acquisition, the department shall give priority to all

of the following purposes and to awarding grants under s. 23.096 for all the following purposes:

1. Acquisition of land that preserves or enhances the state's water resources, including land in and for the Lower Wisconsin State Riverway; land abutting wild rivers designated under s. 30.26, wild lakes and land along the shores of the Great Lakes.

2. Acquisition of land for the stream bank protection program under s. 23.094.

3. Acquisition of land for habitat areas and fisheries under s. 23.092.

4. Acquisition of land for natural areas under ss. 23.27 and 23.29.

6. Acquisition of land in the middle Kettle Moraine.

(dm) Except as provided in subs. (4g) (b), (4m) (k), (5) and (5m), the department may not obligate under the subprogram for land acquisition more than the following amounts:

1. For fiscal year 2000–01, $28,500,000.

2. For each fiscal year beginning with 2001–02 and ending with fiscal year 2009–10, $34,500,000.

(e) For purposes of this subsection, the department by rule shall define "wild lake".

(4) PROPERTY DEVELOPMENT AND LOCAL ASSISTANCE SUBPROGRAM. (a) Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may obligate moneys under the subprogram for property development and local assistance. Moneys obligated under this subprogram may be only used for nature–based outdoor recreation.

(b) The purposes for which moneys may be obligated for local assistance under the subprogram for property development and local assistance are the following:

1. Grants for urban green space under ss. 23.09 (19) and 23.096.

2. Grants for local parks under ss. 23.09 (20) and 23.096.

3. Grants for acquisition of property development rights under ss. 23.09 (20m) and 23.096.

4. Grants for urban rivers under ss. 23.096 and 30.277.

(c) The purposes for which moneys may be obligated for property development under the subprogram for property development and local assistance are the following:

1. Property development of department lands.

2. Property development on conservation easements adjacent to department lands.

3. Grants under s. 23.098.

(d) In obligating moneys under the subprogram for property development and local assistance, all of the following shall apply:

1. The department may obligate not more than $11,500,000 in each fiscal year under the subprogram except as provided in sub. (5).

2. The department may obligate not more than $8,000,000 in each fiscal year for local assistance.

3. The department shall obligate at least $3,500,000 in each fiscal year for property development.

(f) For purposes of this subsection, the department by rule shall define "nature–based outdoor recreation".

(4g) BLUFF PROTECTION. (a) The department may not obligate more than $1,000,000 under the subprogram for bluff protection.

(b) If the total amount obligated for the subprogram for bluff protection on June 30, 2004, is less than $1,000,000, the department shall calculate the unobligated amount by subtracting the total obligated amount from $1,000,000. The department shall then adjust the available bonding authority for the subprogram for land acquisition by increasing the available bonding authority in an amount equal to the unobligated amount.

(c) The department may not obligate moneys for the subprogram for bluff protection after June 30, 2004.

(4m) BARABOO HILLS. (a) *Definitions.* In this subsection:

1. "Assigned amount" means the sum of the amounts made available for expenditure under par. (g) and the amounts set aside by the department under par. (h) 1.

2. "Federal nontransportation moneys" means moneys received from the federal government that are not deposited in the transportation fund and that are not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

3. "Local governmental unit" means a city, village, town, county, lake sanitary district, as defined in s. 30.50 (4q), or a public inland lake protection and rehabilitation district.

(b) *Matching funding.* The department shall provide funding under the subprogram for the Baraboo Hills to match the value of land acquisitions that are certified as qualifying matching land acquisitions under par. (e).

(c) *Overall requirements.* 1. The department may obligate not more than $5,000,000 under the subprogram for the Baraboo Hills.

2. The amount of moneys, other than federal moneys, that may be used by local governmental units or nonprofit conservation organizations to make land acquisitions that are certified as qualifying matching land acquisitions under par. (e) may not exceed $2,500,000.

3. Land that is either certified as a qualifying matching land acquisition under par. (e) or (h) 2. or acquired with moneys made available for expenditure under par. (g) or (h) 2. may not be department land or land that is otherwise owned or under the jurisdiction of the state on the effective date of this subdivision .... [revisor inserts date].

(d) *Matching land acquisitions; requirements.* The department may only certify as a qualifying matching

land acquisition in the Baraboo Hills an acquisition to which all of the following apply:

1. The land is being acquired for conservation purposes.

2. The land is being acquired by the federal government, by a local governmental unit or by a nonprofit conservation organization.

3. Any federal moneys being used for the acquisition are federal nontransportation moneys.

(e) *Matching land acquisitions; certification.* The department shall certify which land acquisitions qualify as matching land acquisitions for the subprogram for the Baraboo Hills and shall determine the values of these matching land acquisitions as provided in par. (f).

(f) *Matching land acquisitions; valuation.* The value of a land acquisition that is certified as a qualifying matching land acquisition under par. (e), shall be calculated as follows:

1. For land that is acquired by purchase at fair market value, the value shall equal the sum of the purchase price and the costs incurred by the federal government, local governmental unit or nonprofit conservation organization in acquiring the land.

2. For land that is acquired by gift or bequest or by purchase at less than fair market value, the value shall equal the sum of the appraised fair market value of the land at the time of the acquisition and the costs incurred by the acquiring entity in acquiring the land. The acquiring entity shall supply the appraisal upon which the appraised fair market value is based.

(g) *Matching land acquisitions; available moneys.* For each land acquisition that is certified as a qualifying matching land acquisition under par. (e), the department shall make available for expenditure moneys in an amount that equals the value of the land acquisition, as calculated under par. (f). This paragraph does not apply to a land acquisition that is acquired with moneys committed by the federal government, local governmental unit or nonprofit conservation organization under par. (h).

(h) *Matching land acquisitions; future commitments.* 1. In addition to the moneys made available for expenditure under par. (g), the department shall set aside moneys in amounts that equal amounts that the federal government, local governmental units or nonprofit conservation organizations commit for the acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys that are committed under this paragraph shall be federal nontransportation moneys. The department may set aside moneys under this paragraph only for commitments that are made before January 1, 2006.

2. For each land acquisition that is made by using moneys that are committed by the federal government, a local governmental unit or a nonprofit conservation organization under this paragraph and that is certified as a qualifying matching land acquisition under par. (e), the department shall make available for expenditure moneys in an amount that equals the value of the land acquisition, as calculated under par. (f), after the acquisition is certified.

(i) *Available moneys; uses.* The moneys made available for expenditure under par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills for conservation purposes and to award grants to local governmental units and nonprofit conservation organizations.

(j) *Available moneys; grant requirements.* A local governmental unit or nonprofit conservation organization that receives a grant under par. (i) does not need to provide any matching funding. Land acquired with moneys from a grant awarded under par. (i) may not be certified by the department as a qualifying matching land acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land for conservation purposes in the Baraboo Hills.

(k) *Unassigned amount.* If the assigned amount for the subprogram for the Baraboo Hills on January 1, 2006, is less than the available bonding authority, the department shall calculate the unassigned amount by subtracting the assigned amount from the available bonding authority. The department shall then adjust the annual bonding authority for the subprogram for land acquisition by increasing its annual bonding authority by an amount equal to this unassigned amount. The department shall expend any assigned amount that has not been expended before January 1, 2006, for acquisitions, by the department, of land for conservation purposes and for grants that meet the requirements under par. (j).

(L) *Highway construction required.* No moneys may be obligated for the subprogram for the Baraboo Hills before the department of transportation certifies to the department of natural resources that highway construction that will result in at least 4 traffic lanes has begun on the portion of USH 12 between the city of Middleton and the village of Sauk City.

(5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding authority for that subprogram for that given fiscal year, the department shall adjust the annual bonding authority for that subprogram by raising the annual bonding authority, as it may have been previously adjusted under this paragraph and par. (b), for the next fiscal year by the amount that equals the difference between the amount authorized for that subprogram and the obligated amount for that subprogram in that given fiscal year.

(b) If for a given fiscal year the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that is more than the annual bonding authority for that subprogram for

that given fiscal year, the department shall adjust the annual bonding authority for that subprogram by lowering the annual bonding authority, as it may have been previously adjusted under this paragraph and par. (a), for the next fiscal year by an amount equal to the remainder calculated by subtracting the amount authorized for that subprogram from the obligated amount, as it may be affected under par. (c) or (d), for that subprogram in that given fiscal year.

(c) The department may not obligate for a fiscal year an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that exceeds the amount equal to the annual bonding authority for that subprogram as it may have been previously adjusted under pars. (a) and (b), except as provided in par. (d).

(d) For a given fiscal year, in addition to obligating the amount of the annual bonding authority for a subprogram under sub. (3) or (4), or the amount equal to the annual bonding authority for that subprogram, as adjusted under pars. (a) and (b), whichever amount is applicable, the department may also obligate for that subprogram up to 100% of the annual bonding authority for that subprogram for that given fiscal year for a project or activity if the natural resources board determines that all of the following conditions apply:

1. That moneys appropriated for that subprogram to the department under s. 20.370 and the moneys appropriated for that subprogram under s. 20.866 (2) (ta), (tp) to (tw), (ty) and (tz) do not provide sufficient funding for the project or activity.

2. That any land involved in the project or activity covers a large area or the land is uniquely valuable in conserving the natural resources of the state.

3. That delaying or deferring all or part of the cost to a subsequent fiscal year is not reasonably possible.

(5m) ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year 1999–2000, the department, subject to the approval of the governor and the joint committee on finance under sub. (6), may obligate under the subprogram for land acquisition any amount not in excess of the total bonding authority for that subprogram for the acquisition of land.

(b) For each land acquisition transaction under this subsection, all of the following apply:

1. The department shall sell a portion of the acquired land.

2. All proceeds from the sale of the land, up to the amount obligated under par. (a) as determined by the secretary of administration, shall be deposited in the general fund and credited to the appropriation account under s. 20.370 (7) (ag). Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated under par. (a) shall be deposited in the general fund.

3. For bonds that are retired from the proceeds of the sale of the acquired land within 3 years after the date on which the land was acquired by the department, the department shall adjust the available bonding authority for the subprogram for land acquisition by increasing the available bonding authority for the fiscal year in which the bonds are retired by an amount equal to the total amount of the bonds issued for the sale that have been retired in that fiscal year.

4. For bonds that are not retired from the proceeds of the sale of the acquired land within 3 years after the date on which the land was acquired by the department, the department shall adjust the available bonding authority for the subprogram for land acquisition by decreasing the available bonding authority for the next fiscal year beginning after the end of that 3–year period by an amount equal to the total amount of the bonds that have not been retired from such proceeds in that fiscal year and, if necessary, shall decrease for each subsequent fiscal year the available bonding authority in an amount equal to that available bonding authority or equal to the amount still needed to equal the total amount of the bonds that have not been retired from such proceeds, whichever is less, until the available bonding authority has been decreased by an amount equal to the total of the bonds that have not been retired.

(c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need not be for conservation or recreational purposes.

(d) The department of administration shall monitor all transactions under this subsection to ensure compliance with federal law and to ensure that interest on the bonds is tax–exempt for the holders of the bonds.

(6) REVIEW BY JOINT COMMITTEE ON FINANCE. (a) The department may not obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity any moneys unless it first notifies the joint committee on finance in writing of the proposal. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's notification that the committee has scheduled a meeting to review the proposal, the department may obligate the moneys. If, within 14 working days after the date of the notification by the department, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposal, the department may obligate the moneys only upon approval of the committee.

(b) Paragraph (a) applies only to an amount for a project or activity that exceeds $250,000, except as provided in par. (c).

(c) Paragraph (a) applies to any land acquisition under sub. (5m).

(7) CALCULATION OF GRANT AMOUNTS; APPRAISALS. (a) Except as provided in pars. (b) and (c), for purposes of calculating the acquisition costs for acquisition of land under ss. 23.09 (19), (20) and (20m), 23.092 (4), 23.094 (3g), 23.096, 30.24 (4) and 30.277 from the appropriation under s. 20.866 (2) (ta), the acquisition costs shall equal

the sum of the land's current fair market value and other acquisition costs, as determined by rule by the department.

(b) For land that has been owned by the current owner for less than one year, the acquisition costs of the land shall equal the owner's acquisition price.

(c) For land that has been owned by the current owner for one year or more but for less than 3 years, the acquisition costs of the land shall equal the sum of the current owner's acquisition price and the annual adjustment increase.

(d) For purposes of par. (c), the annual adjustment increase shall be calculated by multiplying the owner's acquisition price by 7.5% and by then multiplying that product by one of the following numbers:

Vetoed In Part

1. By one if the land has been owned by the current owner for one year or more but for less than 2 years.

2. By 2 if the land has been owned by the current owner for 2 years or more but for less than 3 years.

(e) For any land for which moneys are proposed to be obligated from the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a governmental unit under s. 23.09 (19), (20) or (20m) or 30.277 or to a nonprofit conservation organization under s. 23.096, the governmental unit or nonprofit conservation organization shall submit to the department two appraisals if the department estimates that the fair market value of the land exceeds $200,000.

(8) PROHIBITIONS AND LIMITATIONS. (a) The department may not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition of land for golf courses or for the development of golf courses.

(c) The department may not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition by a city, village or town of land that is outside the boundaries of the city, village or town unless the city, village or town acquiring the land and the city, village or town in which the land is located approve the acquisition.

(d) The department may not acquire land using moneys from the appropriation under s. 20.866 (2) (ta) without the prior approval of a majority of the members–elect, as defined in s. 59.001 (2m), of the county board of supervisors of the county in which the land is located if at least 66% of the land in the county is owned or under the jurisdiction of the state, the federal government or a local governmental unit, as defined in s. 66.299 (1) (a). Before determining whether to approve the acquisition, the county in which the land is located shall post notices that inform the residents of the community surrounding the land of the possible acquisitions.

Vetoed In Part

(9) RULES ON LAND USE. The department shall promulgate rules to provide incentives under the Warren Knowles–Gaylord Nelson stewardship 2000 program to local units of government that submit applications for funding from the appropriation under s. 20.866 (2) (ta) for projects or activities that are consistent with local or regional land use plans and with local zoning ordinances.

Vetoed In Part

(10) REPORT ON LAND PRICES. Before January 1, 2005, the department shall submit a report to the joint committee on finance and the governor that includes all of the following:

(a) Information on how changes in the prices for land, between July 1, 2000, and the date that the report is submitted, have affected the department's ability to protect land for conservation purposes.

(b) A range of options to maintain or restore the financial ability to purchase land under the Warren Knowles–Gaylord Nelson stewardship 2000 program.

(11) REQUIREMENTS FOR SIGNS. For any land which is acquired in whole or in part with moneys obligated from the appropriations under s. 20.866 (2) (ta) or (tz) or both, the department shall provide signs on the land stating that the land has been acquired with stewardship funds. The signs shall be clearly visible to the public at access points to the land or along highways or other transportation routes that provide access to the land. If the land is open to the public, the sign shall so state and shall state the purposes for which the land may be used by the public.

(12) EXPENDITURES AFTER JUNE 30, 2010. If the remaining bonding authority for a subprogram under sub. (3) or (4) on June 30, 2010, is an amount greater than zero, the department may expend any portion of this remaining bonding authority for that subprogram in one or more subsequent fiscal years.

SECTION 664. 23.0918 of the statutes is created to read:

23.0918 Natural resources land endowment fund. **(1)** In this section, "land" includes any buildings, facilities or other structures located on the land.

(2) Unless the natural resources board determines otherwise in a specific case, only the income from the gifts, grants or bequests in the fund is available for expenditure. The natural resources board may authorize expenditures only for preserving, developing, managing or maintaining land under the jurisdiction of the department that is used for any of the purposes specified in s. 23.09 (2) (d). In this subsection, unless otherwise provided in a gift, grant or bequest, principal and income are determined as provided under s. 701.20 (3).

SECTION 664b. 23.092 (4) of the statutes is amended to read:

23.092 **(4)** The department may share the costs of implementing land management practices with landowners, or with nonprofit organizations that are qualified to enhance wildlife–based recreation if these organizations have the landowner's permission to implement the practices. The department may share the costs of acquiring easements for habitat areas with landowners or with these nonprofit organizations. ~~This subsection does not apply~~

~~before July 1, 1990~~ If the funding for cost–sharing under this subsection will be expended from the appropriation under s. 20.866 (2) (ta), the amount expended for the cost–sharing may not exceed 50% of the cost of the management practices or of the acquisition costs for the easement.

SECTION 664d. 23.092 (5) (a) of the statutes is amended to read:

23.092 **(5)** (a) The department shall determine the value of land or an easement donated to the department that is within a habitat area and is dedicated for purposes of habitat protection, enhancement or restoration. For an easement, the valuation shall be based on the extent to which the fair market value of the land is diminished by the transfer. ~~Beginning on July 1, 1990, and except~~ Except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for habitat protection, enhancement or restoration activities for the same habitat area in which any donation was made on or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations.

SECTION 664f. 23.092 (5) (b) of the statutes is renumbered 23.092 (5) (b) 1. and amended to read:

23.092 **(5)** (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will exceed the expenditure limit under sub. (6) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (6), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (6), as adjusted under s. 23.0915 (2), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released. This subdivision does not apply after June 30, 2000.

SECTION 664h. 23.092 (5) (b) 2. of the statutes is created to read:

23.092 **(5)** (b) 2. If the moneys allocated under par. (a) for release from the appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed the annual bonding authority for the subprogram under s. 23.0917 (3) for a given fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as adjusted under s. 23.0917 (5), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 664i. 23.092 (6) of the statutes is amended to read:

23.092 **(6)** Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,500,000 under this section for fisheries, for habitat areas and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount the department may not expend more than $75,000 for fisheries in each fiscal year.

SECTION 664j. 23.092 (6) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

23.092 **(6)** Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,500,000 under this section for fisheries, for habitat areas and for grants for this purpose under s. 23.096 in each fiscal year.

SECTION 665k. 23.094 (3g) of the statutes is amended to read:

23.094 **(3g)** ACQUISITION BY POLITICAL SUBDIVISION. A political subdivision may acquire by gift, devise or purchase land adjacent to a stream identified as a priority stream under sub. (2) or acquire by gift, devise or purchase a permanent stream bank easement from the owner of the land. The department may make grants from the appropriation under s. 20.866 (2) (tz) to political subdivisions to purchase these lands and easements. The department may make grants under s. 23.096 from the appropriation under s. 20.866 (2) (ta) or (tz) or both. Whenever possible, the land or easement shall include the land within at least 66 feet from either side of the stream.

SECTION 665L. 23.094 (3m) of the statutes is created to read:

23.094 **(3m)** LIMITS. A grant under sub (3g) may not exceed 50% of the acquisition costs for the land or the easement.

SECTION 665m. 23.094 (4) (a) of the statutes is amended to read:

23.094 **(4)** (a) The department shall determine the value of land or an easement donated to the department for purposes of this section and for stream bank protection under s. 23.096. For an easement, the valuation shall be based on the extent to which the fair market value of the land is diminished by the transfer. ~~Beginning July 1, 1990, and except~~ Except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used to acquire easements and land under this section and s. 23.096 for the same stream for which any donation was made on or after August 9, 1989. The department shall determine how the moneys being released are to be allocated from these appropriations.

SECTION 665n. 23.094 (4) (b) of the statutes is renumbered 23.094 (4) (b) 1. and amended to read:

23.094 **(4)** (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will exceed the expenditure limit under sub. (8) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (8), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (8), as adjusted under s. 23.0915 (2), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released. This subdivision does not apply after June 30, 2000.

SECTION 665o. 23.094 (4) (b) 2. of the statutes is created to read:

23.094 **(4)** (b) 2. If the moneys allocated under par. (a) for release from the appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed the annual bonding authority for the subprogram under s. 23.0917 (3) for a given fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as adjusted under s. 23.0917 (5), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 665p. 23.094 (8) of the statutes is amended to read:

23.094 **(8)** APPROPRIATION. ~~The costs of acquiring easements and land under this section or s. 23.096 shall be paid from the appropriation under s. 20.866 (2) (tz).~~ Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 for fisheries, for the acquisition of land and easements by the department under this section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount, the department may not expend more than $300,000 in each fiscal year for grants under sub. (3g) to cities, villages, towns and counties.

SECTION 665q. 23.094 (8) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

23.094 **(8)** APPROPRIATION. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 for fisheries, for the acquisition of land and easements by the department under this section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year.

SECTION 665r. 23.0955 (1) of the statutes is amended to read:

23.0955 **(1)** In this section ~~and s. 23.096~~, "nonprofit conservation organization" means a nonprofit corporation, a charitable trust or other nonprofit association whose purposes include the acquisition of property for conservation purposes and that is described in section 501 (c) (3) of the internal revenue code and is exempt from federal income tax under section 501 (a) of the internal revenue code.

SECTION 665rc. 23.0955 (2) (a) (intro.) of the statutes is amended to read: **Vetoed In Part**

23.0955 **(2)** (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the department shall provide one grant of ~~$75,000~~ $250,000 in each fiscal year ~~1996–97~~, beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that is described under section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal Revenue Code, in existence on the effective date of this paragraph .... [revisor inserts date], and organized in this state if the corporation meets all of the following requirements:

SECTION 665rd. 23.0955 (2) (a) 3. of the statutes is amended to read:

23.0955 **(2)** (a) 3. The corporation has a board of directors whose members represent, to the greatest extent practicable, all geographic areas of the state and that has a majority of members who are representatives of nonprofit conservation organizations.

SECTION 665re. 23.0955 (2) (am) of the statutes is repealed. **Vetoed In Part**

SECTION 665rf. 23.0955 (2) (b) (intro.) of the statutes is amended to read:

23.0955 **(2)** (b) (intro.) A corporation receiving a grant under this subsection shall do all of the following, but shall emphasize the activities described in subds. 1. and 2.:

SECTION 665rg. 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

23.0955 **(2)** (b) 2m. Assist nonprofit conservation organizations in acquiring property for conservation purposes and in managing property acquired for conservation purposes.

4. Acquire a property for conservation purposes where no other nonprofit conservation organization exists that is willing to assist or capable of effectively assisting in the transfer of the property or that can adequately manage the property after it is acquired.

5. For each fiscal year, prepare a report detailing the activities for which a grant under this section was expended, describing any property acquired by the corporation and explaining how the acquisition of that property furthers the goal of conservation in the state. Copies

of the report shall be submitted to the department and to the legislature under s. 13.172 (2).

SECTION 665rh. 23.0955 (3) of the statutes is created to read:

23.0955 **(3)** (a) During the period beginning on January 1, 2004, and ending on July 1, 2004, the department shall submit a comprehensive report describing the cost of, and accomplishments achieved by, activities funded with grants under this section, commencing with the grants provided in the 1999–2000 fiscal year. The report shall evaluate all of the following:

1. How grants under this section have furthered the goal of encouraging private resource conservation.

2. The extent to which grants under this section complement the resource conservation goals of the department.

(b) The report shall contain a recommendation to the legislature on whether the grant program under this section should be continued, eliminated or revised.

(c) The report shall be distributed to the speaker of the assembly and the president of the senate under s. 13.172 (3).

SECTION 665ri. 23.0956 of the statutes is created to read:

23.0956 Assistance for private conservation activities. (1) From the appropriation under s. 20.370 (5) (aw), the department shall provide one grant of $85,000 in each fiscal year, beginning with fiscal year 2000–01, to a nonstock, nonprofit corporation that is described under section 501 (c) (3) or (4) of the Internal Revenue Code and organized in this state if the corporation meets all of the following requirements:

(a) The corporation is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) The corporation was created to accept and to utilize private contributions made to protect and enhance the state's natural resources.

(2) A corporation receiving a grant under sub. (1) shall use the grant to do all of the following:

(a) Encourage private corporations and other private entities to undertake activities, including the contribution of money, that encourage management and restoration of the state's endangered wild animals, wild plants and natural communities.

(b) Encourage private corporations and other private entities to engage in land management practices that protect and preserve natural resources.

(c) Provide grants to nonprofit and other groups to encourage education, restoration and management activities to enhance the state's natural resources.

SECTION 665rm. 23.0957 of the statutes is created to read:

23.0957 Annual grants to a nonstock, nonprofit corporation; urban land conservation. (1) In this section:

(a) "Local governmental unit" has the meaning given in s. 23.09 (19) (a) 2.

(b) "Interested group" means a community group, nonprofit organization or local governmental unit that is interested in acquiring urban land for urban forestry protection, water resource management, conservation, recreation or other urban open space purposes.

(2) The department shall provide one grant of $75,000 in each fiscal year, beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that meets all of the following requirements:

(a) The corporation is organized in this state.

(b) The corporation is described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation under section 501 (a) of the Internal Revenue Code.

(c) The corporation has a board of directors or an advisory council or both with members who represent one or more urban or urbanizing areas and who collectively have an interest or expertise in all of the following:

1. Nonprofit organizations.
2. Business.
3. Social services.
4. Land development.
5. Architecture.
6. Landscape architecture.
7. Conservation.

(d) The corporation contributes $25,000 in funds annually to be used with the grant under this subsection.

(3) A corporation receiving a grant under sub. (2) may use the grant for urban forest protection, water resource enhancement or other urban open space objectives and shall do all of the following with the grant:

(a) Provide to interested groups technical assistance, especially in the areas of urban open space real estate transactions, reclaiming and restoring the natural values of urban parks, urban forests and open space areas, designing and constructing amenities in open space areas, cultivating citizen participation in acquiring, developing and maintaining open space areas and securing public financing for open space areas.

(b) Conduct conferences on the topics listed in par. (a).

(c) Assist community groups, nonprofit organizations and local governmental units in acquiring urban property for open space purposes and in restoring urban property acquired for conservation, recreation and other open space purposes.

(d) For each fiscal year, prepare a report detailing the activities for which a grant under sub. (2) is expended. Copies of the report shall be submitted to the department and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly or the president of the senate.

(4) A corporation receiving a grant under sub. (2) may acquire urban property for conservation, recreation and other open space purposes.

SECTION 665s. 23.096 (1) of the statutes is renumbered 23.096 (1) (intro.) and amended to read:

23.096 **(1)** (intro.) In this section~~, "property":~~

(b) "Property" means land or an interest in land.

SECTION 665t. 23.096 (1) (ag) of the statutes is created to read:

23.096 **(1)** (ag) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

SECTION 665u. 23.096 (2) of the statutes is renumbered 23.096 (2) (a) and amended to read:

23.096 **(2)** (a) The department may award grants from the appropriation under s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property for all of the purposes described in ss. 23.09 (2) (d) 1. to 7., 9., 11., 12. and 15., (19) ~~and~~, (20) and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24 and 30.277 ~~(2) (a)~~.

SECTION 665v. 23.096 (2) (b) of the statutes is created to read:

23.096 **(2)** (b) A grant awarded under this section may not exceed 50% of the acquisition costs of the property.

SECTION 665vm. 23.0962 (3) of the statutes is created to read:

23.0962 **(3)** (a) In this subsection:

1. "Local governmental unit" means county or town.

2. "Special zoning permission" has the meaning given in s. 59.69 (15) (g).

(b) Notwithstanding s. 18.04 (1) and (2), the building commission may authorize public debt to be contracted, and the department may make a grant from the appropriation under s. 20.370 (5) (cq), for the property known as Black Point Estate only if all of the following apply:

1. A substantially completed application for any necessary special zoning permission for the property has been submitted before December 1, 1999, to the applicable local governmental unit.

2. The necessary special zoning permission, based on the application submitted before December 1, 1999, is granted.

SECTION 665w. 23.098 (1) (c) of the statutes is created to read:

23.098 **(1)** (c) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

SECTION 665x. 23.098 (2) of the statutes is amended to read:

23.098 **(2)** The department shall establish a program to ~~expend~~ make grants from the ~~appropriation~~ appropriations under s. 20.866 (2) (ta) and (tz) ~~moneys for grants~~ to friends groups and nonprofit conservation organizations for projects for property development activities on department properties. The department may not encumber more than ~~$200,000~~ $250,000 in each fiscal year for these grants.

SECTION 665y. 23.098 (4) (am) of the statutes is created to read:

23.098 **(4)** (am) In awarding grants under this section for eligible projects, the department shall establish a system under which the grants are offered to eligible friends groups before being offered to eligible nonprofit conservation organizations.

SECTION 665z. 23.098 (5) of the statutes is amended to read:

23.098 **(5)** Each friends group and nonprofit conservation organization receiving a grant under this section shall provide matching funds that are equal to at least 50% of the ~~estimated~~ cost of the project for which a grant is being provided.

SECTION 671b. 23.175 (3) (b) (intro.) of the statutes is amended to read:

23.175 **(3)** (b) (intro.) ~~Beginning July 1, 1990, expend~~ Expend an amount from the appropriation under s. 20.866 (2) (ta) or (tz) or both that equals any of the following:

SECTION 671d. 23.175 (3m) of the statutes is created to read:

23.175 **(3m)** ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b), the department shall determine how the moneys being expended are to be allocated from the appropriations under s. 20.866 (2) (ta) and (tz). The department may not allocate or expend any moneys from the appropriation under s. 20.866 (2) (ta) before July 1, 2000.

SECTION 671e. 23.175 (4) of the statutes is amended to read:

23.175 **(4)** LIMITS ON SPENDING. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 under this section for trails and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount, the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $500,000 under sub. (3) (b) in each fiscal year.

SECTION 671g. 23.175 (4) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

23.175 **(4)** LIMIT ON SPENDING. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,000,000 under this section for trails and for grants for this purpose under s. 23.096 in each fiscal year.

SECTION 671h. 23.192 of the statutes is created to read: **Vetoed In Part**

23.192 Mead Wildlife Area public interpretive center. From the appropriation under s. 20.866 (2) (tr), the department shall provide not more than $112,000 for a public interpretive center at the Mead Wildlife Area in

Vetoed In Part

Portage, Marathon and Wood counties. Expenditures under this section shall be made in a manner that, for every $2 received by the department from private grants, gifts or bequests for the project, $3 will be expended from the moneys under this section.

SECTION 671m. 23.197 of the statutes is created to read:

23.197 Warren Knowles–Gaylord Nelson stewardship programs; specific projects or activities. (1) ROOT RIVER; MULTIPURPOSE PATHWAY. (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding to the city of Racine for a multipurpose pathway along the Root River. The amount provided by the department may not exceed the amount that equals the matching contribution for the pathway made by the city of Racine or $750,000, whichever is less.

(b) The department shall determine how the moneys being provided under par. (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

(2) ROCK RIVER; RIVER WALL. (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding to the city of Fort Atkinson for the restoration of a river wall along the Rock River. The amount provided by the department may not exceed the amount that equals the matching contribution made for the river wall by the city of Fort Atkinson or $96,500, whichever is less. The requirements for matching contributions under s. 30.277 (5) shall apply.

(b) The department shall determine how the moneys being provided under par. (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for urban river grants. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

Vetoed In Part

(2m) ROCK RIVER; RECREATIONAL CORRIDOR. (a) From the appropriation under s. 20.866 (2) (tz), the department shall provide funding to the city of Janesville under the urban rivers grant program under s. 30.277 for the Rock River recreational corridor. The amount provided by the department under this paragraph may not exceed that amount that equals the matching contributions made for the corridor by the city of Janesville or $100,000, whichever is less. The requirements for matching contributions under s. 30.277 (5) shall apply.

Vetoed In Part

(b) The funding under par. (a) is in addition to any encumbrance or expenditure approved by the joint committee on finance under s. 23.0915 (4) for the Rock River recreational corridor.

(3) KEYES LAKE; RECREATIONAL AREA. (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide the amount necessary for the development of a recreational area on Keyes Lake in Florence County, but the amount may not exceed $125,000.

(b) The department shall determine how the moneys being provided under par. (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for any of the purposes specified under s 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from either or both of the subprograms under s. 23.0917 (3) and (4).

(3m) RIB MOUNTAIN STATE PARK. From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding in the amount of $500,000 to rebuild a chalet at Rib Mountain State Park. The department shall determine how the moneys being provided under this subsection will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for general property development. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

Vetoed In Part

(4) GRANT FOR LAND ACQUISITION AND HABITAT RESTORATION. (a) In this subsection:

1. "Nonprofit organization" means a nonprofit corporation, a charitable trust or other nonprofit association that is described in section 501 (c) (3) of the Internal Revenue Code and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

2. "Land" has the meaning given in s. 23.0917 (1) (d).

(b) From the appropriation under s. 20.866 (2) (ta), the department may award a single grant of $20,000 to an organization that is not a nonprofit organization but that has entered into an agreement with a nonprofit organization in order to apply for the grant. The grant may be used for land acquisition for conservation or recreation purposes or for habitat restoration or both. For purposes of s. 23.0917, moneys obligated for this grant shall be treated as moneys obligated under the subprogram for land acquisition.

(c) In order to receive the grant under this section, the nonprofit organization and the other organization who are parties to the agreement specified under par. (b) shall enter into a contract with the department that contains conditions imposed by the department on the use of the grant, on any land acquired with moneys from the grant and on any transfer to a 3rd party of any such acquired land.

(d) Title to the land acquired with moneys from the grant under this section shall vest in the nonprofit organization. If the nonprofit organization or the other organization violates any essential provision of the contract entered into under par. (c), title to the land shall vest in the state.

(6) SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2) (tz), the department shall provide $173,763 for the development and expansion of Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a) to (k) or any combination of those purposes.

SECTION 671mn. 23.198 of the statutes is created to read:

23.198 Milwaukee Lakeshore State Park. (1) STEWARDSHIP FUNDING. (a) From the appropriation under s. 20.866 (2) (ta), the department shall provide up to $1,500,000 for the development of a state park which will provide access to Lake Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided under this paragraph shall be treated as moneys obligated under the subprogram for property development and local assistance.

(b) From the appropriation under s. 20.866 (2) (tz), the department shall provide up to $500,000 for development of a state park as described in par. (a). For purposes of s. 23.0915 (1), moneys provided under this paragraph shall be treated as moneys expended for general property development.

(2) OTHER FUNDING. (a) The department shall expend the following amounts from the appropriation under s. 20.370 (5) (cq) for the development of a state park as described in sub. (1):

1. Up to $2,400,000 of the moneys appropriated from that appropriation for fiscal year 1999–2000.

2. Up to $2,000,000 of the moneys appropriated from that appropriation for fiscal year 2000–01.

(b) Of the amounts authorized for expenditure under par. (a) 1., the department shall provide up to $400,000 to the Milwaukee Art Museum for the construction of a breakwater.

(c) Beginning on July 1, 2000, the department shall expend from the appropriation under s. 20.370 (7) (fs) $1,000,000 for a state park as described in sub. (1).

SECTION 671n. 23.22 of the statutes is created to read: **Vetoed In Part**

23.22 MacKenzie environmental center staffing. The department shall maintain a staffing level for the performance of facilities repair work functions at the MacKenzie environmental center in Poynette that is at least 1.0 position greater than the level that existed on April 29, 1999.

SECTION 671p. 23.27 (4) of the statutes is amended to read:

23.27 **(4)** NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the intent of the legislature to continue natural areas land acquisition activities from moneys available from the ~~appropriation~~ appropriations under ss. 20.370 (7) (fa) and 20.866 (2) (ta), (ts) and (tz). This commitment is separate from and in addition to the commitment to acquire natural areas under the Wisconsin natural areas heritage program. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $1,500,000 in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

SECTION 672d. 23.27 (5) of the statutes is amended to read:

23.27 **(5)** NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate additional natural areas land acquisition activities with moneys available from the appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the Wisconsin natural areas heritage program. This commitment is separate from and in addition to the continuing commitment under sub. (4). Moneys available from the appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the Wisconsin natural areas heritage program may not be used to acquire land through condemnation. The department may not acquire land under this subsection unless the land is suitable for dedication under the Wisconsin natural areas heritage program and upon purchase or as soon after purchase as practicable the department shall take all necessary action to dedicate the land under the Wisconsin natural areas heritage program. Except as provided in s. 23.0915 (2), the department may not expend from the appropriation under s. 20.866 (2) (tz) more than $500,000 in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

SECTION 672f. 23.29 (2) of the statutes is amended to read:

23.29 **(2)** CONTRIBUTIONS; STATE MATCH. The department may accept contributions and gifts for the Wisconsin natural areas heritage program. The department shall convert donations of land which it determines, with the

advice of the council, are not appropriate for the Wisconsin natural areas heritage program into cash. The department shall convert other noncash contributions into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or ~~both~~ from any combination of these appropriations to be used for natural areas land acquisition activities under s. 23.27 (5). The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~

SECTION 672g. 23.29 (3) of the statutes is amended to read:

23.29 **(3)** LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall determine the value of land accepted for dedication under the Wisconsin natural areas heritage program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation shall be based on the fair market value of the land prior to the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the dedication shall be based on the difference between the purchase price and the fair market value. An amount equal to the value of land accepted for dedication under the Wisconsin natural areas heritage program shall be released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or ~~both~~ from any combination of these appropriations to be used for natural areas land acquisition activities under s. 23.27 (5). This subsection does not apply to dedications of land under the ownership of the state. The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July l, 1990.~~

SECTION 672j. 23.293 (4) of the statutes is amended to read:

23.293 **(4)** CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept contributions and gifts for the ice age trail program. The department may convert gifts of land which it determines are not appropriate for the ice age trail program into cash. The department may convert other noncash contributions and gifts into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (7) (gg). An amount equal to the value of all contributions and gifts shall be released from the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or ~~both~~ from any combination of these appropriations to be used for land acquisition and development activities under s. 23.17. The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~

SECTION 672k. 23.293 (5) of the statutes is amended to read:

23.293 **(5)** LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall determine the value of land accepted for dedication under the ice age trail program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation of the land shall be based on the fair market value of the land before the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation of the land shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the land shall be based on the difference between the purchase price and the fair market value. An amount equal to the valuation of the land accepted for dedication under the ice age trail program shall be released from the appropriation under s. 20.866 (2) (ta), (tw) or (tz) or ~~both~~ from any combination of these appropriations to be used for ice age trail acquisition activities under s. 23.17. The department shall determine how the moneys being released are to be allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.~~ This subsection does not apply to dedications of land under the ownership of the state.

SECTION 672m. 23.295 of the statutes is created to read:

23.295 Ice age trail area grants. (1) In this section:

(a) "Ice age trail area" means the trail designated under s. 23.17 (2).

(b) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of the political subdivision or special purpose district or a combination or subunit of any of the foregoing.

(2) The department shall provide one grant of $75,000 in each fiscal year, beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that meets all of the following requirements:

(a) The corporation is organized in this state.

(b) The corporation is described under section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation under section 501 (a) of the Internal Revenue Code.

(c) The corporation has a board of directors or an advisory council or both whose members represent different geographic areas of the ice age trail area, and at least one–third of whom are current or former ice age trail volunteers.

(d) The board of directors or an advisory council of the corporation or both collectively have an interest or expertise in all of the following:

1. Recruiting and training volunteers.
2. Land conservation.
3. Trails and outdoor recreation.
4. Tourism.
5. This state's glacial geology.
6. This state's cultural history.

(e) The corporation contributes $25,000 in funds annually to be used with the grant under this section.

(3) A corporation receiving a grant under sub. (2) may use the grant for activities related to the development, maintenance, protection and promotion of the ice age trail area and shall do all of the following with the grant:

(a) Support the work of volunteers who develop, maintain and promote the ice age trail area.

(b) Build partnerships for the ice age trail area with local governmental units and nonprofit organizations.

(c) Promote the protection of a corridor for the ice age trail area by providing information about acquiring land, or an interest in land, in that corridor.

(d) Strengthen community support for the ice age trail area by recruiting and training volunteers and by coordinating the activities of interest groups.

(e) Promote tourism in the ice age trail area.

(f) For each fiscal year, prepare a report detailing the activities for which a grant under sub. (2) is expended. Copies of the report shall be submitted to the department and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly or the president of the senate.

Vetoed In Part

SECTION 672p. 23.317 of the statutes is created to read:

23.317 In–service training. At least once during each fiscal biennium, the department shall offer an in–service training course that provides training on the topic of natural resources and public relations. The department may offer the training course in one or more sessions during the fiscal biennium. The department shall model its training course on the training course on the topic of natural resources and public relations that is part of the course offerings of the University of Wisconsin–Stevens Point on the effective date of this section .... [revisor inserts date].

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 681g. 23.33 (4) (c) (title) of the statutes is amended to read:

23.33 **(4)** (c) (title) *Exceptions; municipal, state and utility operations; races and derbies; land surveying operations.*

SECTION 681h. 23.33 (4) (c) 1m. of the statutes is created to read:

23.33 **(4)** (c) 1m. Paragraphs (a) and (b) do not apply to the operator of an all–terrain vehicle who is engaged in land surveying operations, if safety does not require strict adherence to the restrictions under pars. (a) and (b).

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.

Vetoed In Part

SECTION 684g. 23.43 of the statutes is created to read:

23.43 Watershed management center. From the appropriation under s. 20.370 (4) (aq), the department shall annually provide to the board of regents of the University of Wisconsin System $150,000 to establish and operate the watershed management center under s. 36.25 (29g).

Vetoed In Part

SECTION 684m. 23.47 of the statutes is created to read:

23.47 Payments for department of tourism programs and activities. The department of natural resources may not expend any moneys appropriated to the department of natural resources under s. 20.370 to pay, in whole or in part, for a program operated, or an activity conducted, by the department of tourism.

SECTION 685. 23.50 (1) of the statutes is amended to read:

23.50 **(1)** The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch. 77, this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules promulgated thereunder, violations specified under s. 285.86, violations of rules of the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

SECTION 686. 23.51 (6) of the statutes is amended to read:

23.51 **(6)** "Penalty assessment" means the penalty assessment imposed by s. ~~165.87~~ 757.05.

SECTION 687. 23.65 (1) of the statutes is amended to read:

23.65 **(1)** When it appears to the district attorney that a violation of s. 134.60, 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative rule promulgated pursuant thereto, or a violation specified under s. 285.86 has been committed the district attorney may proceed by complaint and summons.

SECTION 688. 23.65 (3) of the statutes is amended to read:

23.65 **(3)** If a district attorney refuses or is unavailable to issue a complaint, a circuit judge, after conducting a hearing, may permit the filing of a complaint if he or she finds there is probable cause to believe that the person charged has committed a violation of s. 287.07, 287.08 or 287.81, this chapter or ch. 26, 27, 28, 29, 30, 31 or 350 or a violation specified under s. 285.86. The district attorney shall be informed of the hearing and may attend.

SECTION 689. 24.04 (2) of the statutes is amended to read:

24.04 **(2)** DISBURSEMENTS. All expenses necessarily incurred in caring for and selling public lands shall be deducted from the gross receipts of the fund to which the proceeds of the sale of the land will be added. Expenses necessarily incurred in caring for public lands may include expenses for reforestation, erosion and insect control, submerged log monitoring, surveys, appraisals, soil surveys and soil mapping activities and other land management practices that serve to protect or enhance the interests of the beneficiaries of the trust funds.

SECTION 689b. 24.61 (2) (a) (title) of the statutes is amended to read: **Vetoed In Part**

24.61 **(2)** (a) (title) *Authorized investments by board.*

Vetoed In Part

SECTION 689d. 24.61 (2) (a) 3. of the statutes is amended to read:

24.61 **(2)** (a) 3. Bonds and notes of this state.

SECTION 689fh. 24.61 (2) (b) of the statutes is amended to read:

24.61 **(2)** (b) *Deposited with state treasurer.* All bonds, notes and other securities ~~so~~ purchased under par. (a) shall be deposited with the state treasurer.

SECTION 689j. 24.61 (2) (c) of the statutes is created to read:

24.61 **(2)** (c) *Delegation of investment authority to investment board.* The board may delegate to the investment board the authority to invest part or all of the moneys belonging to the trust funds. If the board delegates the authority, the investment board may invest the moneys belonging to the trust funds in any manner authorized for the investment of any funds specified in s. 25.17 (1).

SECTION 689L. 24.62 (1) of the statutes is amended to read:

24.62 **(1)** Except as authorized in sub. (2), the board shall deduct its expenses incurred in administering investments and loans under s. 24.61 from the gross receipts of the fund to which the interest and income of the investment or loan will be added. If the board delegates to the investment board the authority to invest part or all of the moneys belonging to the trust funds, the investment board shall deduct its expenses incurred in administering investments under s. 24.61 from the gross receipts of the fund to which the interest and income of the investment will be added.

SECTION 690. 24.63 (4) of the statutes is amended to read:

24.63 **(4)** REPAYMENT BEFORE DUE DATE PERMITTED. Any borrower after March 15 and prior to August 1 of any year may repay one or more instalments of a state trust fund loan in advance of the due date, and all interest upon such advance payment shall thereupon terminate. The board may charge a borrower who repays one or more instalments of a loan a fee to cover any administrative costs incurred by the board in originating and servicing the loan.

SECTION 691. 24.64 of the statutes is created to read:

24.64 Reimbursements for certain administrative services. The board shall reimburse the department of administration, from the appropriation account under s. 20.507 (1) (h), for the costs of administrative services provided by the department of administration and other state agencies to the board.

SECTION 694b. 24.78 of the statutes is amended to read:

24.78 Distribution of the common school fund income. Under article X, section 5, of the constitution the common school fund income shall be distributed to the school districts among the several towns, villages and cities of the state for the support of common schools therein, as provided in ~~ss. 44.72 (2) (a) and~~ s. 43.70.

SECTION 694c. 25.156 (2) of the statutes is amended to read:

25.156 **(2)** The investment board shall employ an executive director, who shall serve outside the classified service. The executive director shall be qualified by training and prior experience to manage, administer and direct the investment of funds. The investment board shall fix the compensation of the executive director~~, and may award bonus compensation as authorized under sub. (6)~~. Vetoed In Part

SECTION 694g. 25.156 (6) of the statutes is repealed.

SECTION 694n. 25.156 (7) of the statutes is repealed.

SECTION 694r. 25.16 (7) of the statutes is amended to read:

25.16 **(7)** The executive director shall fix the compensation of all employes appointed by the executive director, subject to restrictions set forth in the compensation plan under s. 230.12 or any applicable collective bargaining agreement in the case of employes in the classified service~~, but the investment board may provide for bonus compensation to employes in the unclassified service as authorized under s. 25.156 (6)~~. Vetoed In Part

SECTION 694s. 25.16 (8) of the statutes is created to read: Vetoed In Part

25.16 **(8)** The executive director shall assign an investment professional to assist the board of commissioners of public lands in establishing and maintaining investment objectives with respect to the investment of the assets of the agricultural college fund, the common school fund, the normal school fund and the university fund. An amount equal to the cost of any services rendered to the board of commissioners of public lands under this subsection shall be deducted from the gross receipts of the fund to which the moneys invested belong and shall be credited to the appropriation account under s. 20.536 (1) (k).

SECTION 694w. 25.165 (1) of the statutes is amended to read:

25.165 **(1)** There is created in the investment board an internal audit subunit, under the supervision of the internal auditor. The internal auditor shall report directly to the board and, subject to authorization under s. 16.505, shall appoint all employes necessary to carry out the duties of the internal auditor. The internal auditor shall appoint all employes outside the classified service, except blue collar and clerical employes. The internal auditor shall fix the compensation of all employes appointed by the internal auditor, subject to restrictions set forth in the compensation plan under s. 230.12 or any applicable collective bargaining agreement in the case of employes in the classified service~~, but the investment board may provide for bonus compensation to employes in the unclassified service as authorized under s. 25.156 (6)~~. Vetoed In Part

SECTION 695b. 25.17 (1) (ah) of the statutes is created to read: Vetoed In Part

Vetoed In Part

25.17 **(1)** (ah) Agricultural college fund (s. 24.82), but subject to the terms of delegation under s. 24.61 (2) (c);

SECTION 695g. 25.17 (1) (ai) of the statutes is created to read:

25.17 **(1)** (ai) Air quality improvement fund (s. 25.97);

Vetoed In Part

SECTION 695m. 25.17 (1) (ax) of the statutes is created to read:

25.17 **(1)** (ax) Common school fund (s. 24.76), but subject to the terms of delegation under s. 24.61 (2) (c);

SECTION 697d. 25.17 (1) (gf) of the statutes is created to read:

25.17 **(1)** (gf) Health insurance risk–sharing plan fund (s. 25.55);

SECTION 697m. 25.17 (1) (i) of the statutes is amended to read:

25.17 **(1)** (i) ~~Information technology investment~~ VendorNet fund (s. 25.61);

SECTION 698. 25.17 (1) (ka) of the statutes is created to read:

25.17 **(1)** (ka) Natural resources land endowment fund (s. 25.293);

Vetoed In Part

SECTION 698c. 25.17 (1) (kd) of the statutes is created to read:

25.17 **(1)** (kd) Normal school fund (s. 24.80), but subject to the terms of delegation under s. 24.61 (2) (c);

SECTION 698m. 25.17 (1) (tc) of the statutes is created to read:

25.17 **(1)** (tc) Tobacco control fund (s. 25.66);

Vetoed In Part

SECTION 699g. 25.17 (1) (xLm) of the statutes is created to read:

25.17 **(1)** (xLm) University fund (s. 24.81), but subject to the terms of delegation under s. 24.61 (2) (c);

SECTION 699m. 25.17 (1) (xm) of the statutes is created to read:

25.17 **(1)** (xm) Utility public benefits fund (s. 25.96);

Vetoed In Part

SECTION 699s. 25.17 (1) (zm) of the statutes is amended to read:

25.17 **(1)** (zm) All other funds of the state or of any state department or institution, except ~~funds which under article X of the constitution are controlled and invested by the board of commissioners of public lands,~~ funds which are required by specific provision of law to be controlled and invested by any other authority, and moneys in the ~~university~~ University of Wisconsin trust funds, and in the trust funds of the state universities.

SECTION 701m. 25.186 of the statutes is created to read:

25.186 Broker–dealers located in this state. (1) In this section:

(a) "Broker–dealer" has the meaning given in s. 551.02 (3).

(b) "Securities trading brokerage commission" means any commission or fee paid on or for a brokered security transaction, a purchase of a security or any other kind of trade of a security.

(c) "Security" has the meaning given in s. 551.02 (13).

(2) (a) Of the total funds that are expended by the board for securities trading brokerage commissions in any fiscal year, the board shall pay at least 5% of the total funds in securities trading brokerage commissions to broker–dealers that are licensed under s. 551.31, that are headquartered in this state and whose principal business operations are located in this state.

(b) For the purpose of satisfying the requirement under par. (a), the board may not include any securities trading brokerage commissions paid to minority financial advisers and minority investment firms under s. 25.185.

(3) Annually, no later than September 30, the board shall submit a report to the department of administration documenting the amount of moneys expended in the preceding fiscal year by the board for securities trading brokerage commissions and the amount of moneys paid in the preceding fiscal year for securities trading brokerage commissions to broker–dealers under sub. (2) (a).

SECTION 701p. 25.187 of the statutes is created to read:

25.187 Operating expenditures. (1) In this section, "operating expenditures" include all costs and expenses incurred by the investment board for the purpose of operating the board and managing the assets of each fund for which the board has management responsibility, but does not include costs or expenses incurred under s. 25.18 (1) (a), (c), (f) or (m) or (2) (d) or (e) or 40.04 (3) (intro.).

(2) (a) Subject to pars. (b) and (c), on July 1 and January 1 of each year, the investment board shall estimate the amounts required for its operating expenditures for the next 6–month period and shall assess each fund for which the board has management responsibility for its share of the estimated operating expenditures in an equitable manner. The board shall pay the assessment from the current income of each fund, unless an appropriation is made for payment of the assessment, in which case the assessment shall be paid from that appropriation account.

(b) If the estimate of the amounts required for the board's operating expenditures for a 6–month period differs from its actual operating expenditures, the board shall adjust the estimate of the amounts required for its operating expenditures for the next 6–month period to reflect the difference between its estimated operating expenditures and actual operating expenditures for the prior 6–month period.

(c) 1. Except as provided in subd. 2., the total amount that the board may assess the funds for which the board has management responsibility for any fiscal year may not exceed the greater of $17,720,500 or 0.0275% of the

total market value of the assets of the funds on April 30 of the preceding fiscal year.

2. In addition to the amount assessed under subd. 1., the board may assess the funds for which the board has management responsibility for any fiscal year up to an additional 0.0025% of the total market value of the assets of the funds on April 30 of the preceding fiscal year if the board notifies the joint committee on finance in writing of the proposed assessment. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed assessment within 14 working days after the date of the board's notification, the board may make the assessment. If, within 14 working days after the date of the board's notification, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed assessment, the board may make the assessment only upon approval of the committee.

3. For the purposes of this paragraph, the board shall do all of the following:

a. Determine the total market value of the assets of the funds according to the methodology used to determine the market value of the fixed retirement investment trust under s. 25.17 (14).

b. Annually, certify to the department of administration and to the joint committee on finance the total market value of the assets of the funds on April 30 no later than June 15.

(3) The investment board shall transmit a notice of each assessment to each fund at the time that the assessment is made, and shall transmit a statement of the board's actual expenditures for management of each fund at the close of each fiscal year both to the state agency having primary responsibility for expenditure of principal or earnings of the fund and to the department of administration or, if there is no state agency, only to the department of administration.

SECTION 702. 25.29 (1) (a) of the statutes is amended to read:

25.29 **(1)** (a) Except as provided in ~~s.~~ ss. 25.293 and 25.295, all moneys accruing to the state for or in behalf of the department under chs. 26, 27, 28, 29 and 350, subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58 ~~and~~, 71.10 (5) and 71.30 (10), including grants received from the federal government or any of its agencies except as otherwise provided by law.

SECTION 702g. 25.29 (3m) of the statutes is created to read:

25.29 **(3m)** (a) The total amount that the department may expend for a given fiscal year from the fish and wildlife account of the conservation fund for administrative costs may not exceed 16% of the expenditures from that account for that fiscal year.

(b) For purposes of par. (a), administrative costs consist of the costs incurred in the administration of the department and its divisions and bureaus, in providing support services for the department and in the issuance of licenses and other approvals by the department. **Vetoed In Part**

SECTION 702m. 25.29 (7) (intro.) of the statutes is amended to read:

25.29 **(7)** (intro.) All of the proceeds of the tax which is levied under s. 70.58, and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by counties by virtue of any tax deed and of other lands suitable for state forests, and for the development of lands so acquired and the conduct of forestry thereon, including the growing and planting of trees; for forest and marsh fire prevention and control; for grants to forestry cooperatives under s. 36.56; for compensation of emergency fire wardens; for maintenance, permanent property and forestry improvements; for other forestry purposes authorized by law and for the payment of aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.

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 704mh. 25.40 (1) (fm) of the statutes is created to read:

25.40 **(1)** (fm) All moneys received as fees under s. 101.9208 (1), except fees received under s. 101.9208 (1) (b).

SECTION 704pd. 25.40 (2) (b) 19g. of the statutes is created to read:

25.40 **(2)** (b) 19g. Section 20.143 (3) (sa).

SECTION 706q. 25.43 (1) (h) of the statutes is amended to read: **Vetoed In Part**

25.43 **(1)** (h) The fees imposed under ss. 281.58 (9) (d), 281.595 (11m) and 281.60 (11m).

SECTION 706s. 25.43 (2) (c) of the statutes is amended to read:

25.43 **(2)** (c) The department of administration may establish and change accounts in the environmental

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improvement fund other than those under pars. (a), (ae), (am) and (b). The department of administration shall consult the department of natural resources before establishing or changing an account that is needed to administer the programs under ss. 281.58, 281.59, 281.595 and ~~or~~ 281.61.

SECTION 707. 25.43 (3) of the statutes is amended to read:

25.43 **(3)** Except for the purpose of investment as provided in s. 25.17 (2) (d), the environmental improvement fund may be used only for the purposes authorized under ss. 20.320 (1) (r), (s), (sm), (t), (x) and (y) ~~and~~, (2) (s) and (x) and (3) (q), 20.370 (4) (mt), (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y), 281.58, 281.59, 281.595, 281.60, 281.61 and 281.62.

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SECTION 708. 25.46 (1r) of the statutes is created to read:

25.46 **(1r)** The moneys transferred from the Wisconsin development reserve fund under 1999 Wisconsin Act .... (this act), section 9225 (1).

SECTION 711. 25.46 (12) of the statutes is created to read:

25.46 **(12)** The funds transferred under s. 292.65 (11).

SECTION 711m. 25.46 (19) of the statutes is amended to read:

25.46 **(19)** The environmental impact ~~fee~~ fees imposed under ~~s.~~ ss. 101.9208 (1) (b) and 342.14 (1r) for environmental management.

SECTION 712. 25.465 (8) of the statutes is amended to read:

25.465 **(8)** The fees collected under s. 94.72 (5) (b) and (6) (a) 1. and 2. and (i).

SECTION 713. 25.47 of the statutes is renumbered 25.47 (intro.) and amended to read:

25.47 Petroleum inspection fund. (intro.) There is established a separate nonlapsible trust fund designated as the petroleum inspection fund, to consist of ~~the~~:

(1) The fees imposed under s. 168.12 (1)~~, the~~.

(2) The payments under s. 101.143 (4) (h) 1m.~~, the~~

(3) The payments under s. 101.143 (5) (a) ~~and the~~.

(4) The net recoveries under s. 101.143 (5) (c).

SECTION 714c. 25.47 (1m) of the statutes is created to read:

25.47 **(1m)** Any fees imposed under s. 101.143 (2) (em) 1.

SECTION 715. 25.47 (5) of the statutes is created to read:

25.47 **(5)** The moneys transferred from the appropriation account under s. 20.143 (3) (s).

SECTION 715e. 25.47 (6) of the statutes is created to read:

25.47 **(6)** The net proceeds of revenue obligations issued under s. 101.143 (9m) that are transferred from a separate and distinct fund outside the state treasury, in an account maintained by a trustee, under s. 18.562 (3) and (5) (e).

SECTION 716. 25.48 of the statutes is amended to read:

25.48 Dry cleaner environmental response fund. There is established a separate nonlapsible trust fund designated as the dry cleaner environmental response fund, to consist of the moneys required under s. 77.9964 (3) to be deposited in the fund and moneys collected under ss. 292.65 (8m) and (9) (c).

SECTION 716m. 25.49 (3) of the statutes is created to read:

25.49 **(3)** The fees imposed under s. 289.645.

SECTION 717. 25.50 (1) (d) of the statutes is amended to read:

25.50 **(1)** (d) "Local government" means any county, town, village, city, power district, sewerage district, drainage district, town sanitary district, public inland lake protection and rehabilitation district, local professional baseball park district created under subch. III of ch. 229, family care district under s. 46.2895, public library system, school district or technical college district in this state, any commission, committee, board or officer of any governmental subdivision of this state, any court of this state, other than the court of appeals or the supreme court, or any authority created under s. 231.02, 233.02 or 234.02.

SECTION 717d. 25.55 of the statutes is created to read:

25.55 Health insurance risk–sharing plan fund. There is established a separate nonlapsible trust fund designated as the health insurance risk–sharing plan fund, to consist of:

(1) All moneys appropriated under s. 20.435 (4) (af).

(2) All moneys appropriated under s. 20.435 (4) (ah).

(3) Insurer assessments under ch. 149.

(4) Premiums paid by eligible persons under ch. 149.

SECTION 717g. 25.61 of the statutes is amended to read:

25.61 ~~Information technology investment~~ VendorNet fund. There is created a separate nonlapsible trust fund designated as the ~~information technology investment~~ VendorNet fund consisting of all revenues accruing to the state from fees assessed under ss. 16.701 and 16.702 and from gifts, grants and bequests made for ~~information technology development~~ the purposes of ss. 16.701 and 16.702 and moneys transferred to the fund from other funds.

SECTION 717r. 25.61 of the statutes, as affected by 1995 Wisconsin Act 351, section 4m, 1997 Wisconsin Act 36, section 5, and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

25.61 VendorNet fund. There is created a separate nonlapsible trust fund designated as the VendorNet fund consisting of all revenues accruing to the state from fees

assessed under s. 16.701 and from gifts, grants and bequests made for the purposes of s. 16.701 and moneys transferred to the fund from other funds.

SECTION 717t. 25.66 of the statutes is created to read:

25.66 Tobacco control fund. (1) There is created a separate nonlapsible trust fund, known as the tobacco control fund, to consist of the following:

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(a) The first $2,492,000 of the moneys received in fiscal year 1999–2000 under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

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(b) Beginning in fiscal year 2000–01, the first $23,500,000 of the moneys received each year under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

(2) Amounts in the fund may be distributed for the purposes specified in s. 255.15.

SECTION 717xa. 25.75 (1) (b) of the statutes is amended to read:

25.75 **(1)** (b) "Gross lottery revenues" means gross revenues from the sale of lottery tickets and lottery shares under ch. 565 and revenues from the imposition of fees, if any, under s. 565.10 (8) ~~and includes compensation, including bonuses, if any, paid to retailers under s. 565.10 (14), regardless of whether the compensation is deducted by the retailer prior to transmitting lottery ticket and lottery share revenues to the commission~~.

SECTION 717xb. 25.75 (1) (b) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

25.75 **(1)** (b) "Gross lottery revenues" means gross revenues from the sale of lottery tickets and lottery shares under ch. 565 and revenues from the imposition of fees, if any, under s. 565.10 (8) and includes compensation, including bonuses, if any, paid to retailers under s. 565.10 (14), regardless of whether the compensation is deducted by the retailer prior to transmitting lottery ticket and lottery share revenues to the commission.

SECTION 717xf. 25.75 (1) (c) 3. of the statutes is repealed.

SECTION 717xg. 25.75 (1) (c) 3. of the statutes is created to read:

25.75 (1) (c) 3. Amounts for other expenses including compensation paid to retailers under s. 565.10 (14) and amounts paid to vendors for on–line services and supplies provided by the vendors under contract under s. 565.25 (2) (a).

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SECTION 717xh. 25.75 (2) of the statutes, as affected by 1999 Wisconsin Act 5, is amended to read:

25.75 **(2)** CREATION. There is created a separate nonlapsible trust fund known as the lottery fund, to consist of gross lottery revenues received by the department of revenue and moneys transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and (jm) and 1999 Wisconsin Act .... (this act), section 9243 (2c).

SECTION 717xi. 25.75 (3) (b) of the statutes is repealed.

SECTION 717xj. 25.75 (3) (b) of the statutes is created to read:

25.75 **(3)** (b) *Expenses.* No more than an amount equal to 10% of gross lottery revenues for each year may be expended to pay the expenses for the operation and administration of the lottery, except that expenses for the operation and administration of the lottery may exceed 10% of gross lottery revenues if so approved by the joint committee on finance under s. 13.10. In computing expenses subject to the 10% limitation under this paragraph:

1. Compensation paid to retailers under s. 565.10 (14) shall not be included.

2. Capital expenditures may be amortized.

3. Payments to vendors for on–line services and supplies provided by the vendors under contract under s. 565.25 (2) (a) shall be included.

4. Moneys appropriated from the lottery fund under s. 20.455 (2) (r) shall not be included.

SECTION 717yn. 25.75 (3) (e) of the statutes is created to read:

25.75 **(3)** (e) From the appropriation under s. 20.566 (2) (r), lottery proceeds shall be used to offset department of revenue expenses in administering the lottery credit.

SECTION 717ym. 25.75 (3) (e) of the statutes, as affected by 1999 Wisconsin Act 5, is repealed.

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 718b. 25.96 of the statutes is created to read:

25.96 Utility public benefits fund. There is established a separate nonlapsible trust fund designated as the utility public benefits fund, consisting of deposits by the public service commission under s. 196.374 (3), public benefits fees received under s. 16.957 (4) (a) and (5) (c) and (d) and contributions received under s. 16.957 (2) (c) 4. and (d) 2.

SECTION 718d. 25.97 of the statutes is created to read:

25.97 Air quality improvement fund. There is established a separate nonlapsible trust fund designated as the air quality improvement fund, consisting of all moneys transferred under s. 16.958 (2) (a) and all moneys deposited under s. 196.86 (3).

SECTION 718g. 26.08 (2) (a) of the statutes is amended to read:

26.08 **(2)** (a) Except as provided under pars. (b) ~~and (c)~~ to (d), the department may lease state park land or state forest land for terms not exceeding 15 years.

SECTION 718r. 26.08 (2) (d) of the statutes is created to read:

26.08 **(2)** (d) The department may lease Northern Highland American Legion State Forest land on Statehouse Lake in the town of Manitowish Waters for the North Lakeland Discovery Center for a term not exceeding 30 years.

SECTION 719. 26.145 (4) of the statutes is repealed.

SECTION 720d. 27.01 (7) (a) 3. of the statutes is amended to read:

27.01 **(7)** (a) 3. In this subsection "vehicle admission area" means the Bong area lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the Point Beach state forest, recreational areas in other state forests designated as such by the department, designated use zones within recreation areas established under s. 23.091 (3), and any state park or roadside park except those specified in par. (c) 5.

SECTION 720g. 27.01 (15) (title) of the statutes is repealed and recreated to read:

27.01 **(15)** (title) CERTAIN TYPES OF CAMPSITES.

SECTION 720m. 27.01 (15) of the statutes is renumbered 27.01 (15) (b) and amended to read:

27.01 **(15)** (b) The ~~department shall maintain a ratio of~~ number of state park campsites with ~~an~~ electric ~~receptacle to~~ receptacles shall be maintained by the department so that not more than 25% of all state park campsites ~~that is equal to or less than the ratio which exists on April 26, 1988~~ have electric receptacles and not less than 25% of all state park campsites are rustic state park campsites.

SECTION 720r. 27.01 (15) (a) of the statutes is created to read:

27.01 **(15)** (a) In this subsection:

1. "Rustic state park campsite" means a state park campsite in a campground that meets all of the requirements that are promulgated by rule by the department for campgrounds that do not provide modern facilities such as electrical receptacles, flush–type toilets and showers.

2. "State park campsite" means a campsite that is located in a state park.

SECTION 722. 28.05 (1) of the statutes is amended to read:

28.05 **(1)** LIMITATIONS. Cutting shall be limited to trees marked or designated for cutting by a forester in the professional series of the state classified civil service or by a department–designated employe equally qualified by reason of long, practical experience. The department may sell products removed in cultural or salvage cuttings and standing timber designated in timber sale contracts, but all sales shall be based on tree scale or on the scale, measure or count of the cut products. The department may require that a person purchasing products or standing timber under a timber sale contract provide surety for the proper performance of the contract either directly or through a bond furnished by a surety company authorized to do business in this state.

SECTION 722e. 28.05 (2) of the statutes is amended to read:

28.05 **(2)** PROCEDURE. Sales of cut products or stumpage having an estimated value of ~~$1,000~~ $3,000 or more shall be by public sale after 2 publications of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located. Sales with an estimated value of ~~$2,500~~ $3,000 or more requires approval by the secretary.

SECTION 722m. 28.11 (6) (b) 1. of the statutes is amended to read:

28.11 **(6)** (b) 1. Any timber sale with an estimated value of ~~$1,000~~ $3,000 or more shall be by sealed bid or public sale after publication of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located. Any timber sale with an estimated value below ~~$1,000~~ $3,000 may be made without prior advertising. Any timber sale with an estimated value of ~~$2,500~~ $3,000 or more requires approval of the secretary.

SECTION 722s. 28.22 of the statutes is amended to read:

28.22 Timber sales; community forests. Any timber sale from a community forest shall be based on the scale, measure or count of the cut products. Any timber sale with an estimated value of ~~$1,000~~ $3,000 or more shall be by public sale after 2 publications of a classified advertisement announcing the sale in a newspaper having general circulation in the county in which the timber to be sold is located.

SECTION 722t. 29.001 (28) of the statutes is created to read:

29.001 **(28)** "Food distribution service" means a program that provides food or serves meals directly to individuals with low incomes or to elderly individuals, or that collects and distributes food to persons who provide food or serve meals directly to these individuals.

SECTION 722te. 29.024 (2g) (a) (intro.) of the statutes is amended to read:

29.024 **(2g)** (a) *Social security numbers required.* (intro.) ~~The~~ Except as provided in par. (am), the department shall require an applicant who is an individual to provide his or her social security number as a condition of applying for, or applying to renew, any of the following approvals:

SECTION 722tg. 29.024 (2g) (a) 1. of the statutes is amended to read:

29.024 **(2g)** (a) 1. Any license issued under this chapter except for any group fishing license issued under s. 29.193 (5).

SECTION 722tm. 29.024 (2g) (am) of the statutes is created to read:

29.024 **(2g)** (am) *Social security numbers exceptions.* If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. An approval issued by the department of natural resources in reliance on a false statement submitted by an applicant under this paragraph is invalid.

SECTION 722ts. 29.024 (2g) (d) 2. of the statutes is amended to read:

29.024 **(2g)** (d) 2. As provided in the memorandum of understanding required under s. 49.857 (2), the department shall deny an application to issue or renew an approval specified in par. (a) 1. to 3. if the applicant for or the holder of the approval fails to provide his or her social security number as required under par. (a), unless the applicant is an individual who does not have a social security number and who submits a statement made or subscribed under oath or affirmation as required under par. (am).

SECTION 722u. 29.024 (2g) (e) of the statutes is created to read:

29.024 **(2g)** (e) *Alternative to providing social security numbers.* If the federal government allows a method under the system under s. 49.857 (2) for purposes of administering this subsection that does not require the use of social security numbers of individuals applying for or holding approvals, other than the method under par. (am) for submitting a statement made or subscribed under oath or affirmation that the individual does not have a social security number, the department shall request that the legislative reference bureau prepare legislation that allows compliance with that method and that eliminates the requirement that individuals provide their social security numbers under the system. The secretary shall submit the proposed legislation to the standing committee of each house of the legislature that has jurisdiction over fish and wildlife matters under s. 13.172 (3).

SECTION 722ue. 29.024 (2r) (a) (intro.) of the statutes is amended to read:

29.024 **(2r)** (a) *Social security and identification numbers required.* (intro.) ~~The~~ Except as provided in par. (am), the department shall require an applicant who is an individual to provide his or her social security number and an applicant who is not an individual to provide the applicant's federal employer identification number as a condition of applying for, or applying to renew, any of the following approvals:

SECTION 722um. 29.024 (2r) (am) of the statutes is created to read:

29.024 **(2r)** (am) *Social security and identification numbers exceptions.* If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for, or applying to renew, any of the approvals specified in par. (a) 1. to 21., shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. An approval issued by the department of natural resources in reliance on a false statement submitted by an applicant under this paragraph is invalid.

SECTION 722us. 29.024 (2r) (d) of the statutes is renumbered 29.024 (2r) (d) 1. and amended to read:

29.024 **(2r)** (d) 1. ~~The~~ Except as provided in subd. 2., the department shall deny an application to issue or renew, or revoke if already issued, an approval specified in par. (a) if the applicant for or the holder of the approval fails to provide the information required under par. (a) or if the department of revenue certifies that the applicant or approval holder is liable for delinquent taxes under s. 73.0301.

SECTION 722ut. 29.024 (2r) (d) 2. of the statutes is created to read:

29.024 **(2r)** (d) 2. The department may not deny an application under subd. 1. for the reason that the applicant failed to provide his or her social security number, if the applicant is an individual who submitted a statement made or subscribed under oath or affirmation as required under par. (am).

SECTION 722v. 29.024 (6) (a) 4. of the statutes is created to read:

29.024 **(6)** (a) 4. Contract with persons who are not employes of the department to operate a statewide automated system for issuing approvals.

SECTION 723. 29.024 (6) (am) of the statutes is created to read:

29.024 **(6)** (am) In reserving deer hunting back tag numbers, the department may do any of the following:

1. Directly reserve the numbers.

2. Appoint, as an agent of the department, the clerk of one or more counties to reserve the numbers.

3. Appoint, as agents of the department, persons who are not employes of the department to reserve the numbers.

SECTION 724. 29.024 (6) (b) of the statutes is amended to read:

29.024 **(6)** (b) The clerk of each county appointed under par. (a) 2. or (am) 2. may accept the appointment.

SECTION 725. 29.024 (6) (d) of the statutes is amended to read:

29.024 **(6)** (d) The department may promulgate rules regulating the activities of persons appointed under ~~par.~~ pars. (a) 2. ~~and~~, 3. and 4. and (am) 2. and 3.

SECTION 725g. 29.164 (3) (ci) of the statutes is created to read:

29.164 **(3)** (ci) *Fourth preference.* The department shall create a 4th preference category in issuing wild

turkey hunting licenses to applicants who are qualified nonresident landowners. For purposes of this paragraph, a qualified nonresident landowner is a person who is not a resident and who owns at least 50 acres in one parcel in an established wild turkey hunting zone and who agrees to allow other persons to hunt wild turkeys on that land if those persons first obtain permission to hunt from the landowner. If more than one individual is the landowner of a single parcel of land, only one individual may be considered a qualified nonresident landowner.

SECTION 725r. 29.164 (3) (cm) of the statutes is amended to read:

29.164 **(3)** (cm) ~~*Fourth*~~ *Fifth preference*. The department shall create a ~~4th~~ 5th preference category in issuing wild turkey hunting licenses to all other nonresident applicants ~~who are not resident applicants~~.

SECTION 726. 29.181 (2m) (intro.) of the statutes is amended to read:

29.181 **(2m)** RESIDENT FARM OWNER. (intro.) If the department determines that for a deer management area the number of available bonus deer hunting permits for a single season will exceed the number of applications submitted, the department may authorize by rule the issuance of one or more bonus deer hunting permits to a resident without the resident having to pay any fee, including any processing or issuing fee, if the resident meets all of the following requirements:

SECTION 726c. 29.184 (2) (a) of the statutes is renumbered 29.184 (2).

SECTION 726e. 29.184 (2) (b) of the statutes is repealed.

SECTION 726j. 29.184 (6) (b) of the statutes is amended to read:

29.184 **(6)** (b) *Cumulative preference system; random selection.* If the number of qualified applications for Class A bear licenses exceeds the number of available licenses, the department shall select applicants to be issued Class A bear licenses based upon a cumulative preference system. This system shall establish preference categories for those applicants who applied for but who were not issued Class A bear licenses or bear harvest permits under s. 29.1085 (3) (b), 1993 stats., in the previous season, with higher priority given to those categories with more preference points than those with fewer preference points. For each season, the department shall allow each applicant under the system to apply for a preference point or for a license. The department shall give a preference point to each applicant who applies for a ~~given season and~~ preference point and to each applicant who applies for a license but who is not selected ~~or who is selected but declines to pay the required fee for a Class A bear license~~. Applicants who fail to apply for either a preference point or a license at least once during any 3 consecutive years shall lose all previously accumulated preference points. If the number of applicants within a preference category exceeds the number of Class A bear licenses available in the category, the department shall select at random the applicants to be issued licenses within the preference category.

SECTION 726k. 29.184 (6) (c) (title) of the statutes is amended to read:

29.184 **(6)** (c) (title) *Notification, issuance;* ~~*payment*~~ *fees*.

SECTION 726L. 29.184 (6) (c) 1. of the statutes is renumbered 29.184 (6) (c) 1r. and amended to read:

29.184 **(6)** (c) 1r. The department shall issue a notice of approval to those qualified applicants selected to receive a Class A bear license. A person who receives a notice of approval and who pays the ~~required fee~~ fees required for the license shall be issued the license subject to s. ~~29.09 (11m)~~ 29.024 (2g).

SECTION 726n. 29.184 (6) (c) 1g. of the statutes is created to read:

29.184 **(6)** (c) 1g. A person who applies for a preference point or a license under par. (a) shall pay the processing fee under s. 29.553 at the time of application.

SECTION 726p. 29.184 (6) (c) 2. of the statutes is amended to read:

29.184 **(6)** (c) 2. A Class B bear license shall be issued subject to s. 29.024 ~~(11m)~~ (2g) by the department to any resident who applies for this license.

SECTION 727. 29.184 (9) (a) of the statutes is amended to read:

29.184 **(9)** (a) The department shall issue a back tag to each person who is issued a Class A bear license~~, and the department or county clerk shall issue a back tag to each person who is issued~~ or a Class B bear license.

SECTION 727m. 29.193 (5) of the statutes is created to read:

29.193 **(5)** GROUP FISHING LICENSE FOR THE DEVELOPMENTALLY DISABLED. (a) "Developmental disability" has the meaning given in s. 51.01 (5) (a).

(b) The department shall issue one–day group fishing licenses to groups consisting of individuals with developmental disabilities and their caregivers. Not more than 12 individuals may fish under the privilege conferred by each 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 728g. 29.229 (5m) (b) of the statutes is amended to read:

29.229 **(5m)** (b) The band is requested to enact tribal laws or ordinances that require each person who has a social security number, as a condition of being issued an approval under this section, to provide to the band his or her social security number, tribal laws or ordinances that require each person who does not have a social security number, as a condition of being issued an approval under this section, to provide to the band a statement made or

subscribed under oath or affirmation on a form prescribed by the department of workforce development that the person does not have a social security number, and tribal laws or ordinances that prohibit the disclosure of that number by the band to any other person except to the department of workforce development for the purpose of administering s. 49.22.

SECTION 728h. 29.229 (5m) (c) of the statutes is amended to read:

29.229 **(5m)** (c) The band is requested to enact tribal laws or ordinances that deny an application to issue or renew, suspend if already issued or otherwise withhold or restrict an approval issued under this section if the applicant for or the holder of the approval fails to provide the information required under tribal laws or ordinances enacted under par. (b) or fails 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 or if the department of workforce development certifies that the applicant for or the holder of the approval has failed 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. The band is also requested to enact tribal laws or ordinance that invalidate an approval issued under this subsection if issued in reliance upon a statement made or subscribed under oath or affirmation under tribal laws or ordinances enacted under par. (b) that is false.

SECTION 729. 29.2295 (4) (c) of the statutes is created to read:

29.2295 **(4)** (c) 1. The department shall make the payments under this subsection from the appropriation under s. 20.370 (9) (hk).

2. If the amount appropriated under s. 20.370 (9) (hk) is insufficient to make all of the payments under this subsection, the department shall make the remaining payments from the appropriation under s. 20.370 (9) (ht).

SECTION 730f. 29.319 of the statutes is created to read:

29.319 Falconry regulation. (1) In regulating falconry and the taking of raptors for use in falconry, the department may do any of the following:

(a) Establish by rule a fee for any approval that it issues as part of this regulation.

(b) Allow persons who are not residents to take raptors from the wild to be used for falconry, but only if all of the following apply:

1. The person holds an approval, issued by the department, that authorizes the taking of raptors for use in falconry.

2. The person holds an approval, issued by the state, province or country of which he or she is a resident, that authorizes the taking of raptors for use in falconry.

3. The state, province or country of which the person is a resident allows residents of this state to take raptors from the wild in that state, province or country.

(2) Any fees collected by the department under this section shall be deposited in the conservation fund to be used for department activities relating to fish and wildlife.

SECTION 730h. 29.324 (2m) of the statutes is created to read: **Vetoed In Part**

29.324 **(2m)** (a) In this subsection, "group deer bow hunting party" means 2 or more hunters hunting in a group all using bows and arrows, each of whom holds an individual license to hunt deer.

(b) Beginning on April 1, 2000, any member of a group deer bow hunting party may kill a deer for another member of the group deer bow hunting party if all of the following conditions exist:

1. The deer is an antlerless deer.

2. At the time and place of the kill, the person who kills the antlerless deer is in contact with the person for whom the antlerless deer is killed.

3. The person for whom the antlerless deer is killed possesses a current unused deer carcass tag that is authorized for use on the antlerless deer killed.

(c) This subsection does not apply after March 31, 2002.

SECTION 730j. 29.324 (3) of the statutes is amended to read:

29.324 **(3)** A person who kills a deer under sub. (2) or (2m) shall ensure that a member of his or her group deer hunting party without delay attaches a current validated deer carcass tag to the deer in the manner specified under s. 29.347 (2). The person who kills the deer may not leave the deer unattended until after it is tagged.

SECTION 730m. 29.347 (2) of the statutes is amended to read:

29.347 **(2)** DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler of the deer a current validated deer carcass tag which is authorized for use on the type of deer killed. Except as provided under sub. (2m) or s. 29.871 (7), (8) or (14) or 29.89 (6), no person may possess, control, store or transport a deer carcass unless it is tagged as required under this subsection. The carcass tag may not be removed before registration. The removal of a carcass tag from a deer before registration renders the deer untagged.

SECTION 732. 29.506 (7m) (a) of the statutes is amended to read:

29.506 **(7m)** (a) The department shall issue a taxidermy school permit to a person who applies for the permit; who, on August 15, 1991, holds a valid taxidermist permit issued under this section; and who, on August 15, 1991, operates a taxidermy school approved by the educational approval board under s. ~~39.51~~ 45.54.

SECTION 733. 29.556 (1) of the statutes is renumbered 29.556 (1m) and amended to read:

29.556 **(1m)** In addition to any other fee imposed under s. 29.563, the department may collect a handling fee ~~for the approvals that the department itself issues~~ to cover long–distance handling costs and in–person credit transaction costs incurred in issuing approvals.

SECTION 733d. 29.556 (1b) (a) of the statutes is created to read:

29.556 **(1b)** (a) "In –person credit transaction costs" means the costs associated with issuing approvals that are applied for and issued in person and that are paid for by using a credit card.

SECTION 734. 29.556 (2) of the statutes is renumbered 29.556 (2) (a) and amended to read:

29.556 **(2)** (a) If the department collects a handling fee under sub. ~~(1)~~ (1m), it shall promulgate rules to ~~designate~~ do all of the following:

1. Designate the approvals to which the fee applies ~~and to establish~~.

2. Establish the ~~amounts~~ amount of the fee. ~~The~~

(c) A handling fee may not be more than the amounts necessary to cover the long–distance handling costs or the in–person credit transaction costs of issuing the approvals.

(1b) In this ~~paragraph, "handling~~ section:

(b) "Long–distance handling costs" ~~includes~~ means the costs associated with paying for approvals that are requested by mail, telephone or electronic means and includes credit transaction fees, mailing costs and personnel costs that are necessary to process ~~the~~ a credit transaction.

SECTION 735b. 29.556 (2) (b) of the statutes is created to read:

29.556 **(2)** (b) 1. The department may collect long–distance handling costs and in–person credit transaction costs for the approvals that the department itself issues.

2. The department may allow a person with whom it has contracted under s. 29.024 (6) (a) 4. to collect handling fees that cover long–distance handling costs. The department may allow the person to retain all or a portion of each handling fee.

3. The department may allow an agent who is appointed under s. 29.024 (6) (a) 2. or 3. to collect handling fees that cover in–person credit transaction costs. The department may allow the agent to retain all or a portion of each handling fee.

SECTION 736. 29.556 (3) of the statutes is amended to read:

29.556 **(3)** Any fees collected under this section by the department shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 737. 29.559 (1) of the statutes is amended to read:

29.559 **(1)** COLLECTION OF ISSUING FEE. Any person, including the department, who issues any license or stamp under this chapter shall collect, in addition to the statutory license or stamp fee, an issuing fee for each license and each stamp the person issued. A person appointed under s. 29.024 (6) (a) 2. ~~or~~, 3. or 4. may retain ~~the amounts specified in sub. (3)~~ 50 cents of each issuing fee for each license and 15 cents for each issuing fee of each stamp to compensate for services in issuing the license or stamp.

SECTION 738. 29.559 (1r) of the statutes is created to read:

29.559 **(1r)** COLLECTION OF ISSUING FEE FOR BONUS DEER HUNTING PERMITS. (a) Any person, including the department, who issues a bonus deer hunting permit shall collect, in addition to the statutory permit fee, an issuing fee for each permit. A person appointed under s. 29.024 (6) (a) 2., 3. or 4. may retain 50 cents of each issuing fee for each permit to compensate for services in issuing the permit.

(b) The issuing fees received by the department for bonus deer hunting permits under this section shall be credited to the appropriation account under s. 20.370 (5) (fq).

SECTION 739. 29.559 (3) of the statutes is repealed.

SECTION 740. 29.561 of the statutes is created to read:

29.561 Back tag number reservation fee. (1) COLLECTION OF FEE. The department shall establish a system under which the department shall reserve a deer hunting back tag number for a person who pays a reservation fee. The department may limit the number of back tag numbers that may be reserved under this system. Upon payment of the fee each year, the department shall issue the same back tag number to that person. Any person, including the department, who reserves a back tag number shall collect, in addition to each reservation fee, an issuing fee of 50 cents.

(2) HANDLING AND RETENTION OF FEES. An issuing fee collected by any employe of the department under this section shall be remitted to the department. An issuing fee collected by a person appointed under s. 29.024 (6) (am) 2. or 3. may retain the issuing fee to compensate for services in making the reservation.

SECTION 753. 29.563 (2) (c) 1. of the statutes is amended to read:

29.563 **(2)** (c) 1. Bonus deer: ~~$12~~ $11.25.

SECTION 754. 29.563 (2) (d) of the statutes is amended to read:

29.563 **(2)** (d) *Nonresident permit.* Bonus deer: ~~$20~~ $19.25.

SECTION 760m. 29.563 (3) (a) 7m. of the statutes is created to read:

29.563 **(3)** (a) 7m. One–day group fishing issued under s. 29.193 (5): $24.25.

SECTION 767. 29.563 (9) (a) 2. of the statutes is amended to read:

29.563 **(9)** (a) 2. Pheasant and quail farm: ~~$20~~ $100.

SECTION 768. 29.563 (9) (a) 3. of the statutes is amended to read:

29.563 **(9)** (a) 3. Game bird and animal farm: ~~$10~~ $25.

SECTION 769. 29.563 (9) (a) 5. of the statutes is amended to read:

29.563 **(9)** (a) 5. Deer farm: ~~$25~~ $100.

SECTION 770. 29.563 (9) (a) 10. of the statutes is amended to read:

29.563 **(9)** (a) 10. Wildlife exhibit: ~~$10~~ $25.

SECTION 771. 29.563 (9) (b) of the statutes is amended to read:

29.563 **(9)** (b) *Late fee.* For a license for a pheasant and quail farm, game bird and animal farm or fur animal farm, in addition to the regular fee: ~~$10~~ $20.

SECTION 772. 29.563 (9) (c) of the statutes is created to read:

29.563 **(9)** (c) *Surcharges.* For the following licenses, the following surcharges in addition to the fees in pars. (a) and (b):

1. A license for a game bird and animal farm on which there are bear: $25.

2. A license for a game bird and animal farm on which the licensee permits an individual to hunt game birds for a fee: $75.

3. A license for a game bird and animal farm on which the licensee permits an individual to hunt grouse for a fee: $25.

4. A license for a game bird and animal farm on which the licensee sells game animals, the gross revenue from which is $10,000 or more during the 12 months immediately preceding the issuance of the license: $25.

5. A license for a wildlife exhibit at which the licensee exhibits a bear or a cougar: $25.

SECTION 773. 29.563 (11) (b) 1. of the statutes is amended to read:

29.563 **(11)** (b) 1. Hunter education and firearm safety instruction fee: ~~$3~~ the fee as established by rule.

SECTION 777. 29.563 (14) (intro.) of the statutes is amended to read:

29.563 **(14)** PROCESSING, HANDLING, RESERVATION AND ISSUING FEES. (intro.) The fees for processing, handling, reserving and issuing approvals are as follows:

SECTION 777g. 29.563 (14) (a) 1. of the statutes is amended to read:

29.563 **(14)** (a) 1. The processing fee for applications for approvals under the cumulative preference systems for the hunter's choice deer hunting permit, bonus deer hunting permit, wild turkey hunting license, Class A bear license, Canada goose hunting permit, sharp–tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: $2.75.

SECTION 778. 29.563 (14) (bn) of the statutes is created to read:

29.563 **(14)** (bn) *Reservation fee.* Reservation fee for a deer hunting back tag number: $4.50.

SECTION 779. 29.563 (14) (c) 3. of the statutes is amended to read:

29.563 **(14)** (c) 3. Each application for a hunter's choice permit, bonus deer hunting permit, wild turkey hunting license, Canada goose hunting permit, sharp–tailed grouse hunting permit, bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit: 25 cents.

SECTION 780. 29.563 (14) (c) 4. of the statutes is created to read:

29.563 **(14)** (c) 4. Each bonus deer hunting permit issued for which a fee is charged under s. 29.563 (2) (c) 1. or (d): 75 cents.

SECTION 781. 29.563 (14) (c) 5. of the statutes is created to read:

29.563 **(14)** (c) 5. Each reservation for a deer hunting back tag number: 50 cents.

SECTION 782. 29.591 (3) of the statutes is amended to read:

29.591 **(3)** INSTRUCTION FEE. The department shall establish by rule the fee for the course of instruction under the hunter education program and the bow hunter education program. The instructor shall collect ~~the~~ this instruction fee ~~specified under s. 29.563 (11) (b) 1.~~ from each person who receives instruction under the hunter education program and the bow hunter education program and remit the fee to the department. The department may ~~authorize an instructor under either program to retain 50%~~ determine the portion of this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred by the instructor in conducting the course. The instructor shall remit the ~~remaining portion~~ remainder of the fee or, if nothing is retained, the entire fee to the department.

SECTION 782m. 29.598 of the statutes is created to read:

29.598 Outdoors skills training. (1) PROGRAM COORDINATION. The department and the board of regents of the University of Wisconsin System shall enter into an agreement with an established national organization that provides training to persons who are interested in learning about the outdoor skills needed by women to hunt, fish, camp, canoe and undertake other outdoor recreational activities in order to provide that type of training to interested persons.

(2) MATCH. No moneys may be transferred from the appropriation account under s. 20.370 (1) (mu) to pay for the costs associated with the agreement under sub. (1), unless the organization described in sub. (1) demonstrates that it has contributed an equal amount to pay for those costs. The matching contribution may be in the form of money or in–kind goods or services.

Vetoed In Part

SECTION 784g. 29.867 (8g) of the statutes is created to read:

29.867 **(8g)** The department shall evaluate the impact of pheasant game farms licensed under this section on the survival of wild hen pheasants in the vicinity of pheasant game farms. The department shall submit the results of the evaluation, along with recommendations to protect and enhance wild pheasant populations in the vicinity of pheasant game farms, to the legislature under s. 13.172 (2) no later than October 1, 2000.

SECTION 784m. 29.89 of the statutes is created to read:

29.89 Venison processing grants. (1) DEFINITIONS. In this section:

(a) "Charitable organization" means a nonprofit corporation, charitable trust or other nonprofit association that is described in section 501 (c) (3) of the Internal Revenue Code and that is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) "Deer damage management season" means a season for hunting deer that is established or extended by the department in order to reduce the deer population because the department determines that an excess population of deer will result in the increase of damage to agricultural or forest lands.

(2) ESTABLISHMENT OF PROGRAM. The department shall establish a program to reimburse counties for the costs that they incur in processing venison from certain deer carcasses.

(3) ELIGIBILITY REQUIREMENTS. A county is eligible for reimbursement under this section if all of the following apply:

(a) The county participates in the administration of both the wildlife damage abatement program and the wildlife damage claim program under s. 29.889.

(b) The county accepts deer carcasses for processing and pays for the costs of processing.

(c) The venison that is processed comes from deer that were killed in the county during a deer damage management season.

(d) The county pays for the costs of processing the venison.

(e) The processed venison is donated as provided under sub. (4).

(4) DONATIONS AUTHORIZED. A county may donate the processed venison to a food distribution service or a charitable organization. The county may require that the carcasses be field dressed before accepting them for processing.

(5) GRANTS; AMOUNTS; FUNDING. (a) Reimbursement under this section shall equal the amount that it costs a county to process the venison.

(b) The department shall reimburse counties under this section from the appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq) payments made for county administrative costs, payments made for wildlife damage abatement assistance and wildlife damage claim payments under s. 29.889.

(c) If the total amount of reimbursable costs under par. (a) exceeds the amount available after making the deductions under par. (b), the department shall establish a system to prorate the reimbursement payments among the eligible counties.

(6) TAGGING EXEMPTION. The requirement under s. 29.347 (2m) (a) that the tags remain with the deer carcass or venison does not apply to a deer carcass or venison that is subject to this section.

SECTION 785d. 29.936 (1) of the statutes is amended to read:

29.936 **(1)** Notwithstanding s. ~~29.06~~ 29.934, the department may distribute for free carcasses from fish and game seized or confiscated under s. ~~29.05~~ 29.931 that are suitable for eating to food distribution services~~, as defined in s. 46.765 (1) (b)~~. The department may have the fish or game that is seized or confiscated processed before distributing that fish or game to food distribution services. The department may collect the costs of the processing of the fish or game from the person from whom the fish and game was seized or confiscated.

SECTION 785dd. 30.01 (1n) of the statutes is created to read:

30.01 **(1n)** "Drain" has the meaning given in s. 88.01 (8).

SECTION 785de. 30.01 (1nm) of the statutes is created to read:

30.01 **(1nm)** "Duck Creek Drainage District" means Outagamie Drainage District No. 6 that is also known as the Duck Creek Drainage District and is located in Outagamie County.

SECTION 785dh. 30.10 (2) of the statutes is amended to read:

30.10 **(2)** STREAMS. Except as provided under sub. (4) (c) and (d), all streams, sloughs, bayous and marsh outlets, which are navigable in fact for any purpose whatsoever, are declared navigable to the extent that no dam, bridge or other obstruction shall be made in or over the same without the permission of the state.

SECTION 785dm. 30.10 (4) (d) of the statutes is created to read:

30.10 **(4)** (d) A drainage district drain located in the Duck Creek Drainage District and operated by the board for that district is not navigable unless it is shown, by means of a U.S. geological survey map or other similarly reliable scientific evidence, that the drain was a navigable stream before it became a drainage district drain.

SECTION 785dp. 30.12 (1) (intro.) of the statutes is amended to read:

30.12 **(1)** GENERAL PROHIBITION. (intro.) Except as provided under ~~sub.~~ subs. (4) and (4m), unless a permit has been granted by the department pursuant to statute or the legislature has otherwise authorized structures or deposits in navigable waters, it is unlawful:

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 792m. 30.12 (4m) of the statutes is created to read:

30.12 **(4m)** DUCK CREEK DRAINAGE DISTRICT STRUCTURES AND DEPOSITS. Subsection (1) does not apply to a structure or deposit that the drainage board for the Duck Creek Drainage District places in a drain that the board operates in the Duck Creek Drainage District if either of the following applies:

(a) The department of agriculture, trade and consumer protection, after consulting with the department of natural resources, specifically approves the structure or deposit.

(b) The structure or deposit is required, under rules promulgated by the department of agriculture, trade and consumer protection, in order to conform the drain to specifications approved by the department of agriculture, trade and consumer protection after consulting with the department of natural resources.

SECTION 793p. 30.1255 (4) of the statutes is created to read:

30.1255 **(4)** EDUCATIONAL ACTIVITIES. The department shall expend moneys in fiscal year 1999–2000 and in fiscal year 2000–01 to conduct activities that provide information and educational materials to the public regarding aquatic nuisance species. The amount expended under this subsection in each fiscal year may not exceed $25,000.

SECTION 793q. 30.1255 (4) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 793t. 30.134 of the statutes is created to read:

30.134 Use of exposed shore areas along streams. (1) DEFINITIONS. In this section:

(a) "Artificial ditch" means a ditch, channel, canal or other stream of water that has no prior history as a stream.

(b) "Exposed shore area" means the area of the bed of a navigable body of water that is between the ordinary high–water mark and the water's edge.

(c) "Highway" has the meaning given in s. 340.01 (22).

(d) "Riparian" means the owner, lessee or occupant of land that abuts a navigable body of water.

(e) "Water–related recreational activity" means a recreational activity that requires a body of water and includes swimming, fishing and boating.

(2) AUTHORIZATION. Members of the public may use any exposed shore area of a stream without the permission of the riparian to engage in a water–related recreational activity.

(3) RESTRICTIONS; MEMBERS OF PUBLIC. (a) In engaging in a water–related recreational activity in the exposed shore area of a stream, as authorized under sub. (2), a member of the public may not do any of the following:

1. Use a motorized vehicle unless an exception under s. 30.29 (3) applies.

2. Place a structure or object on the exposed shore area that remains after the person leaves the exposed shore area.

3. Cut or remove trees or woody vegetation.

4. Remove or damage soils or plants.

5. Remove or damage any object that was placed on the exposed shore area by the riparian.

6. Camp overnight.

7. Enter the exposed shore area except from the water in the stream, from a point of public access on the stream or with the permission of the riparian.

(b) Paragraph (a) 4. and 5. does not apply to removal or damage that is caused by normal wear or tear.

(c) Use of an exposed shore area of a stream by members of the public does not grant an easement or other right to the exposed shore area that is greater than the right granted to the public under this section.

(4) RESTRICTIONS; RIPARIANS; OTHERS. (a) No riparian may prohibit a member of the public from using, as authorized under this section, an exposed shore area of a stream.

(b) No riparian may charge a fee for the use, as authorized under this section, of an exposed shore area of a stream.

(c) No person may obstruct a highway with the intention to impede or prohibit access by the public to an exposed shore area of a stream.

(5) EXCEPTIONS. The right granted to the public to engage in recreational activities on an exposed shore area of a stream does not apply to any of the following:

(a) An exposed shore area of an impoundment on a stream.

(b) Any artificial ditch.

(c) Any location on a stream where there is no surface water flowing in the stream.

SECTION 802mg. 30.20 (1) (b) of the statutes is amended to read:

30.20 **(1)** (b) Except as provided under ~~par.~~ pars. (c) and (d), no person may remove any material from the bed of any lake or stream not mentioned under par. (a) without first obtaining a permit from the department under sub. (2) (c).

SECTION 802mr. 30.20 (1) (d) of the statutes is created to read:

30.20 **(1)** (d) The drainage board for the Duck Creek Drainage District may without a permit under sub. (2) (c) remove material from a drain that the board operates in the Duck Creek Drainage District if the removal is required, under rules promulgated by the department of agriculture, trade and consumer protection, in order to conform the drain to specifications imposed by the department of agriculture, trade and consumer protection after consulting with the department of natural resources.

SECTION 847g. 30.24 of the statutes is created to read:

30.24 Bluff protection. (1) DEFINITIONS. In this section:

(a) "Obligate" has the meaning given in s. 23.0917 (1) (e).

(b) "Protect" includes to restore.

(2) AUTHORIZATION. For the purposes of protecting bluff land, the department may expend money from the appropriation under s. 20.866 (2) (ta) for a program under which the department may do all of the following:

(a) Acquire bluff land or interests in bluff land along the Great Lakes.

(b) Award grants to nonprofit conservation organizations to acquire these lands or interests under s. 23.096.

(3) BAN ON LOCATION RESTRICTIONS. In exercising its authority under sub. (2) (a), the department may not limit acquisitions of bluff lands to bluff lands that are within the boundaries of projects established by the department.

(4) LIMIT ON GRANTS. A grant awarded under this section or under s. 23.096 to protect bluffs may not exceed 50% of the acquisition costs.

(5) RULES. The department shall promulgate rules to administer and implement this section, including standards for awarding grants to protect bluffs under this section and under s. 23.096 grants. The department by rule shall define "bluff land" for purposes of this section.

SECTION 847L. 30.277 (1) of the statutes is renumbered 30.277 (1m) (a) and amended to read:

30.277 **(1m)** (a) Beginning in fiscal year 1992–93 ~~and ending in fiscal year 1999–2000~~, from the appropriation under s. 20.866 (2) (tz), the department shall award grants to ~~municipalities~~ governmental units to assist ~~municipalities~~ them in projects on or adjacent to rivers that flow through urban areas. The department may award these grants from the appropriation under s. 20.866 (2) (ta) beginning on July 1, 2000.

(b) For each fiscal year, except as provided in s. 23.0915 (1r) (c), from the appropriation under s. 20.866 (2) (tz), the department shall designate for expenditure $1,900,000 for grants under this section and for grants under s. 23.096 for the purposes under sub. (2) (a). This paragraph does not apply after June 30, 2000.

SECTION 847m. 30.277 (1b) of the statutes is created to read:

30.277 **(1b)** DEFINITION. In this section:

(a) "Governmental unit" means a city, village, town, county or the Kickapoo reserve management board.

(b) "Nature–based outdoor recreation" has the meaning given by the department by rule under s. 23.0917 (4) (f).

SECTION 847n. 30.277 (2) (a) of the statutes is amended to read:

30.277 **(2)** (a) Grants awarded under this section from the appropriation under s. 20.866 (2) (tz) shall be used for projects that emphasize the preservation or restoration of urban rivers or riverfronts for the purposes of economic revitalization and encouraging outdoor recreation activities that involve the enjoyment of the state's natural resources. These outdoor recreation activities include, but are not limited to fishing, wildlife observation, enjoyment of scenic beauty, canoeing, boating, hiking and bicycling.

SECTION 847o. 30.277 (2) (b) of the statutes is amended to read:

30.277 **(2)** (b) A grant awarded to a ~~municipality~~ governmental unit under this section may be used to acquire land and may be used for a shoreline enhancement project. For purposes of this paragraph, "land" includes rights in land.

SECTION 847p. 30.277 (2) (c) of the statutes is created to read:

30.277 **(2)** (c) Grants awarded under this section from the appropriation under s. 20.866 (2) (ta) shall only be used for nature–based outdoor recreation.

SECTION 847q. 30.277 (3) (e) of the statutes is amended to read:

30.277 **(3)** (e) Whether significant planning has occurred in the ~~municipality~~ area subject to the jurisdiction of the governmental unit prior to its request for a grant under this section.

SECTION 847r. 30.277 (3) (f) of the statutes is amended to read:

30.277 **(3)** (f) The level of support for the project demonstrated by the ~~municipality~~ governmental unit, including financial support.

SECTION 847s. 30.277 (3) (g) of the statutes is amended to read:

30.277 **(3)** (g) Whether the project involves a joint effort by 2 or more ~~municipalities~~ governmental units.

SECTION 847t. 30.277 (3) (h) of the statutes is amended to read:

30.277 **(3)** (h) The potential benefits of the project to the overall economy of the ~~municipality~~ area subject to the jurisdiction of the governmental unit.

SECTION 847u. 30.277 (4) of the statutes is amended to read:

30.277 **(4)** CAP ON GRANTS. No ~~municipality~~ governmental unit may receive in any fiscal year more than 20% of the funds that are available for grants under this section.

SECTION 847v. 30.277 (4m) of the statutes is created to read:

30.277 **(4m)** GRANTS FOR KICKAPOO. The department may not award a grant under this section from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

SECTION 847w. 30.277 (5) of the statutes is amended to read:

30.277 **(5)** CONTRIBUTION BY ~~MUNICIPALITY~~ GOVERNMENTAL UNIT. To be eligible for a grant under this section, at least 50% of the ~~cost of the project~~ acquisition costs for land or of the project costs shall be funded by private, local or federal funding, by in–kind contributions or by state funding. For purposes of this subsection, state funding may not include grants under this section, moneys appropriated to the department under s. 20.370 or money appropriated under s. 20.866 (2) (ta), (tp) to (tw), (ty) or (tz).

SECTION 847x. 30.277 (6) of the statutes is amended to read:

30.277 **(6)** RULES. The department shall promulgate rules for the administration of this section, including rules that specify the weight to be assigned to each criterion under sub. (3) and the minimum number of criteria under sub. (3) in which an applicant must perform satisfactorily in order to be awarded a grant. In specifying the weight to be assigned to the criteria under sub. (3), the department shall assign the greatest weight to the criterion under sub. (3) (k). The department shall promulgate a rule specifying the types of projects that qualify as a shoreline enhancement project under this section.

SECTION 854. 30.50 (4a) of the statutes is created to read:

30.50 **(4a)** "Expedited service" means a process under which a person is able to renew a certificate of number or a certificate of registration in person and with only one appearance at the site where certificates are renewed.

SECTION 855. 30.52 (1m) of the statutes is created to read:

30.52 **(1m)** RENEWALS. (a) *Agents.* For the renewal of certificates of number or certificates of registration, the department may do any of the following:

1. Directly renew the certificates.

2. Appoint, as an agent of the department, the clerk of one or more counties to renew the certificates.

3. Appoint persons who are not employes of the department to renew the certificates as agents of the department.

(b) *Agent activities.* 1. The clerk of any county appointed under par. (a) 2. may accept the appointment.

2. The department may promulgate rules regulating the activities of persons appointed under par (a) 2. and 3.

(c) *Expedited service.* The department may establish an expedited service to be provided by the department and agents appointed under par. (a) 2. or 3. for the renewal of certificates of number or certificates of registration.

(d) *Fees.* In addition to the applicable renewal fee under sub. (3), the department may authorize that a supplemental renewal fee of $3 be collected for the renewal of certificates of number or certificates of registration that are renewed in any of the following manners:

1. By agents appointed under par. (a) 2. or 3.

2. By the department using the expedited service.

(e) *Remittal of fees.* An agent appointed under par. (a) 2. or 3. shall remit to the department $2 of each $3 fee collected under par. (d). Any fees remitted to or collected by the department under par. (d) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 856. 30.52 (2) of the statutes is amended to read:

30.52 **(2)** CERTIFICATION AND REGISTRATION PERIOD. The certification and registration period runs for ~~2~~ 3 years, commencing on April 1 of the year in which the certificate of number or registration is issued and, unless sooner terminated or discontinued in accordance with this chapter, expiring on March 31 of the ~~2nd~~ 3rd year after issuance. A certificate of number or registration is valid only for the period for which it is issued.

SECTION 857. 30.52 (3) (b) of the statutes is amended to read:

30.52 **(3)** (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of a certificate of number for a boat less than 16 feet in length is ~~$11~~ $16.50.

SECTION 858. 30.52 (3) (c) of the statutes is amended to read:

30.52 **(3)** (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the issuance or renewal of a certificate of number for a boat 16 feet or more but less than 26 feet in length is ~~$16~~ $24.

SECTION 859. 30.52 (3) (d) of the statutes is amended to read:

30.52 **(3)** (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the issuance or renewal of a certificate of number for a boat 26 feet or more but less than 40 feet in length is ~~$30~~ $45.

SECTION 860. 30.52 (3) (e) of the statutes is amended to read:

30.52 **(3)** (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal of a certificate of number for a boat 40 feet or more in length is ~~$50~~ $75.

SECTION 861. 30.52 (3) (f) of the statutes is amended to read:

30.52 **(3)** (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e), the fee for the issuance or

renewal of a certificate of number for a sailboat which is not a motorboat is ~~$10~~ $15.

SECTION 862. 30.52 (3) (fm) of the statutes is amended to read:

30.52 **(3)** (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b) to (f), the fee for issuance or renewal of registration for a boat registered pursuant to sub. (1) (b) 1m. is ~~$6.50~~ $9.75.

SECTION 863. 30.52 (3) (h) of the statutes is amended to read:

30.52 **(3)** (h) *Fee for issuance upon transfer of ownership.* Notwithstanding pars. (b) to (g), the fee for the issuance of a certificate of number or registration to the new owner upon transfer of ownership of a boat certified or registered under this chapter by the previous owner is ~~$2.50~~ $3.75 if the certificate of number or registration is issued for the remainder of the certification and registration period for which the previous certificate of number or registration was issued.

SECTION 864. 30.52 (3) (i) of the statutes is amended to read:

30.52 **(3)** (i) *Fleet fees.* A person owning or holding 3 or more boats may, at the person's option, pay a fleet rate for these boats instead of the fees which otherwise would be payable under pars. (b) to (g). Notwithstanding pars. (b) to (g), the fee for the issuance or renewal of certificates of number or registrations for boats under the fleet rate is ~~$18~~ $27 plus 50% of the fees which would otherwise be applicable for the boats under pars. (b) to (g).

SECTION 865. 30.52 (3) (im) of the statutes, as created by 1997 Wisconsin Act 198, is amended to read:

30.52 **(3)** (im) *Dealer or manufacturer fees.* A manufacturer or dealer in boats may, at the manufacturer's or dealer's option, pay a fee of ~~$50~~ $75 for the issuance or renewal of a certificate of number.

SECTION 866. 30.74 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 198, is amended to read:

30.74 **(1)** (b) The department shall prescribe the course content~~,~~ and the form of the certificate ~~and may collect a fee from each person who enrolls in the course. The department may authorize instructors~~. An instructor conducting ~~such courses meeting standards established by it to retain~~ a course under this subsection shall collect the instruction fee from each person who receives instruction. The department may determine the portion of ~~the~~ this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred ~~locally to operate the program~~ by the instructor in conducting the course. The instructor shall remit the remainder of the fee ~~shall be retained by~~ or, if nothing is retained, the entire fee to the department ~~for the purpose of defraying a part of its expenses incurred to operate the program~~. The department by rule shall set the fee for the course ~~and the amount of the fee that may be retained by instructors~~.

SECTION 867j. 30.77 (3) (dm) 1. of the statutes is renumbered 30.77 (3) (dm) 1. (intro.) and amended to read:

30.77 **(3)** (dm) 1. (intro.) In this paragraph~~, "local~~:

b. "Local entity" means a city, village, town, county, qualified lake association, as defined in s. 281.68 (1) (b), nonprofit conservation organization, as defined in s. 23.0955 (1), town sanitary district, public inland lake protection and rehabilitation district or another local governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose of lake management.

SECTION 867m. 30.77 (3) (dm) 1. a. of the statutes is created to read:

30.77 **(3)** (dm) 1. a. "Boating organization" means a nonstock corporation organized under ch. 181 whose primary purpose is to promote boating activities.

SECTION 867p. 30.77 (3) (dm) 2. (intro.) of the statutes is renumbered 30.77 (2) (dm) 2. and amended to read:

30.77 **(2)** (dm) 2. If the department or a local entity objects to an ordinance enacted under par. (a), (ac) 2. or (am) 1. b., on the grounds that all or a portion of the ordinance is contrary to or inconsistent with this chapter, ~~all of the following apply:~~ the procedure under subd. 2r. shall apply.

SECTION 867s. 30.77 (3) (dm) 2. a. of the statutes is renumbered 30.77 (3) (dm) 2r. a. and amended to read:

30.77 **(3)** (dm) 2r. a. Upon receipt of an objection under ~~this subdivision~~ subd. 2. or 2g., the department shall order a hearing on the objection under ch. 227. The hearing shall be a contested case hearing, and the administrator of the division of hearings and appeals in the department of administration shall assign a hearing examiner to the hearing as provided in s. 227.43. Persons who are not parties to the contested case may present testimony and evidence at the hearing.

SECTION 867v. 30.77 (3) (dm) 2. b. of the statutes is renumbered 30.77 (3) (dm) 2r. b. and amended to read:

30.77 **(3)** (dm) 2r. b. The hearing examiner shall issue an order on the objection within 90 days after the date on which the hearing is ordered under subd. ~~2.~~ 2r. a. ~~If~~

c. For an objection under subd. 2., if the hearing examiner determines that the ordinance or the portion of the ordinance is contrary to or inconsistent with this chapter, the hearing examiner shall issue an order declaring the ordinance or that portion of the ordinance void. ~~The~~ For an objection under subd. 2g., if the hearing examiner determines that the ordinance or the portion of the ordinance is not necessary for public health, safety, welfare or the public's interest in preserving the state's natural resources, the hearing examiner shall issue an order declaring the ordinance or that portion of the ordinance void. An order issued under this subd. 2r. c. shall prohibit the enforcement of all or any portion of the ordinance declared to be void.

SECTION 867x. 30.77 (3) (dm) 2g. of the statutes is created to read:

30.77 **(3)** (dm) 2g. If a local entity or an boating organization objects to an ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance enacted under par. (b), on the grounds that all or a portion of the ordinance is not necessary for public health, safety, welfare or the public's interest in preserving the state's natural resources, the procedure under subd 2r. shall apply.

SECTION 867xg. 30.92 (4) (b) 8. am. of the statutes is created to read:

30.92 **(4)** (b) 8. am. A project that uses chemicals to remove Eurasian water milfoil.

SECTION 867xj. 30.92 (4) (b) 11. of the statutes is created to read:

30.92 **(4)** (b) 11. Not more than $75,000 in each fiscal year may be expended for projects under subd. 8. am.

SECTION 867xm. 30.92 (4m) of the statutes is repealed.

SECTION 867xp. 31.02 (title) of the statutes is amended to read:

31.02 (title) **Powers and duties of department.**

SECTION 867xr. 31.02 (4) (c) of the statutes is amended to read:

31.02 **(4)** (c) With good and sufficient ~~fishway or~~ fishways or fish ladders, or in lieu thereof the owner may be permitted to enter into an agreement with the department to pay for or to supply to the state of Wisconsin annually such quantities of game fish for stocking purposes as may be agreed upon by the owner and the department.

SECTION 867xs. 31.02 (4g) of the statutes is created to read:

31.02 **(4g)** The department may not impose the requirement under sub. (4) (c) on an owner of a dam unless all of the following apply:

1. The rules promulgated under sub. (4r) are in effect.

2. The federal government or the state implements a program to provide cost–sharing grants to owners of dams for equipping dams with fishways or fish ladders and a grant is available to the dam owner under the program.

SECTION 867xt. 31.02 (4r) of the statutes is created to read:

31.02 **(4r)** The department shall promulgate rules specifying the rights held by the public in navigable waters that are dammed. The rules shall include provisions on the rights held by public that affect the placement of fishways or fish ladders in navigable waters that are dammed.

SECTION 867xu. 31.02 (6) of the statutes is amended to read:

31.02 **(6)** ~~The department shall~~ Except as provided in sub. (7m), the department may operate, repair and maintain the dams and ~~dykes~~ dikes constructed across drainage ditches and streams in drainage districts, in the interest of drainage control, water conservation, irrigation, conservation, pisciculture and to provide areas suitable for the nesting and breeding of aquatic wild bird life and the propagation of fur–bearing animals.

SECTION 867xv. 31.02 (7) of the statutes is amended to read:

31.02 **(7)** The department shall confer with the drainage commissioners in each drainage district on the formation of policies for the operation and maintenance of the dams; in districts having no commissioners, the department shall confer in like manner with the committee appointed by the county board, if any, to represent either such drainage district, or in the event that the drainage district is dissolved, to represent the interests of the county in all matters whatsoever pertaining to water conservation and control within the area which theretofore constituted such drainage district. This subsection does not apply to the Duck Creek Drainage District.

SECTION 867xw. 31.02 (7m) of the statutes is created to read:

31.02 **(7m)** The drainage board for the Duck Creek Drainage District shall operate, repair and maintain dams, dikes and other structures in district drains that the board operates in the Duck Creek Drainage District in compliance with ch. 88 and any rules promulgated by the department of agriculture, trade and consumer protection under ch. 88. If a county drainage board fails to perform its duties under this subsection, the department of natural resources may exercise its authority under subs. (6), (8) and (9).

SECTION 867y. 31.309 (title) of the statutes is amended to read:

31.309 (title) **Portage levee system and canal.**

SECTION 867z. 31.309 (1) (am) of the statutes is created to read:

31.309 **(1)** (am) The city of Portage may use any amounts from the grant awarded under par. (a) for the renovation and repair of the Portage canal.

SECTION 868. 31.385 (title) of the statutes is amended to read:

31.385 (title) **Dam ~~maintenance, repair, modification, abandonment and removal~~ safety; aid program.**

SECTION 869b. 31.385 (1) of the statutes is renumbered 31.385 (1m) (intro.) and amended to read:

31.385 **(1m)** (intro.) The department shall promulgate the rules necessary to administer a financial assistance program for ~~municipalities and public inland lake protection and rehabilitation districts for dam maintenance, repair, modification, abandonment and removal.~~ dam safety projects under which financial assistance shall be provided as follows:

SECTION 870b. 31.385 (1b) of the statutes is created to read:

31.385 **(1b)** In this section:

(a) "Dam safety project" means the maintenance, repair, modification, abandonment or removal of a dam to increase its safety or any other activity that will increase the safety of a dam.

(b) "Small dam" means a dam that is less than 15 feet high and that creates an impoundment of 100 surface acres of water or less.

SECTION 870m. 31.385 (1m) (a) of the statutes is created to read:

31.385 **(1m)** (a) To municipalities and public inland lake protection and rehabilitation districts for any type of dam safety projects.

SECTION 870p. 31.385 (1m) (b) of the statutes is created to read:

31.385 **(1m)** (b) To private owners for the removal of small dams.

SECTION 870r. 31.385 (1m) (c) of the statutes is created to read:

31.385 **(1m)** (c) To any persons for the removal of abandoned dams.

SECTION 871. 31.385 (2) (intro.) of the statutes is amended to read:

31.385 **(2)** (intro.) The following standards shall apply to financial assistance under this section for dam ~~maintenance, repair, modification, abandonment and removal~~ safety projects:

SECTION 872b. 31.385 (2) (a) of the statutes is renumbered 31.385 (2) (a) 1. and amended to read:

31.385 **(2)** (a) 1. ~~State~~ Except as provided in subd. 2., financial assistance for a dam safety project is limited to no more than 50% of the cost of ~~a particular project involving dam maintenance, repair, modification, abandonment or removal and no more than $200,000 of state financial assistance for a particular~~ the project.

SECTION 872e. 31.385 (2) (a) 2. of the statutes is created to read:

31.385 **(2)** (a) 2. A project to remove an abandoned dam shall not be subject to the 50% cost limit under subd. 1.

SECTION 872g. 31.385 (2) (a) 3. of the statutes is created to read:

31.385 **(2)** (a) 3. Financial assistance is limited to no more than $200,000 for each dam safety project.

SECTION 873b. 31.385 (2) (ag) of the statutes is amended to read:

31.385 **(2)** (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least $250,000 shall be used for projects to remove small dams ~~that are less than 15 feet wide and that create impoundments of 50 acre–feet of water or less~~. A project ~~under this paragraph~~ to remove a small dam may include restoring the stream or river that was dammed.

SECTION 874. 31.385 (2) (bm) of the statutes is created to read:

31.385 **(2)** (bm) The department may provide financial assistance for an activity other than the maintenance, repair, modification, abandonment or removal of the dam only if the cost of that activity will be less than the cost of the maintenance, repair, modification or removal of the dam.

SECTION 875. 31.385 (2) (c) (intro.) of the statutes is amended to read:

31.385 **(2)** (c) (intro.) No financial assistance may be provided under this section for ~~the maintenance, repair, modification, abandonment or removal of~~ a dam safety project unless at least one of the following applies:

SECTION 876. 31.385 (2) (c) 1. of the statutes is amended to read:

31.385 **(2)** (c) 1. The department conducts an investigation or inspection of the dam under this chapter and the owner of the dam requests financial assistance under this section within 6 months after having received department directives, based on the department's investigation or inspection of the dam, for the repair, modification or abandonment and removal of the dam or for another activity to increase the safety of the dam.

SECTION 876g. 31.385 (2) (c) 2. of the statutes is amended to read:

31.385 **(2)** (c) 2. The municipality ~~or~~, public inland lake protection and rehabilitation district or other person applying for state financial assistance under this section has received directives from the department or is under order by the department to maintain, repair, modify, abandon or remove a dam on August 9, 1989.

SECTION 877b. 31.385 (3) of the statutes is amended to read:

31.385 **(3)** The department shall provide municipalities ~~and~~, public inland lake protection and rehabilitation districts and other persons receiving state financial assistance under this section with technical assistance ~~in conducting dam maintenance, repair, modification, abandonment and removal~~ for dam safety projects under this section. The department shall coordinate the financial assistance program under this section with other related state and federal programs.

SECTION 877d. 31.385 (4) of the statutes is created to read:

31.385 **(4)** (a) The department shall maintain an inventory of all dams in the state that require dam safety project under this section. The inventory shall list the dam safety projects in the chronological order in which they are required to be undertaken. For each dam safety project on the inventory, the department shall include a statement of which parts of the dam safety project are required to protect the rights held by the public in the navigable waters contained by the dam.

(b) The department shall provide notice to the owner of a dam that is included in the inventory. The department shall by rule establish a notice and hearing process for a dam owner to object to the inclusion of the owner's dam on the list. The department shall use this notice and hearing each time a dam is included in the inventory. The pro-

cess shall include a public hearing in the city, village or town in which the dam is located, a public comment period, and an appeals process.

SECTION 877m. 33.44 (1) (dm) of the statutes is created to read:

33.44 **(1)** (dm) One member who is a member of the Yahara Lakes Association.

SECTION 877p. 33.44 (3) of the statutes is amended to read:

33.44 **(3)** ~~Five~~ Six commissioners shall constitute a quorum for the transaction of business.

SECTION 877r. 33.44 (7) of the statutes is amended to read:

33.44 **(7)** The board of commissioners shall meet at least quarterly, and at other times on the call of the chairperson or on the petition of ~~5~~ 6 of the members.

SECTION 884a. 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 885a. 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. (a) The board, in consultation with representatives of the aquaculture industry, shall operate the aquaculture demonstration facility authorized under 1999 Wisconsin Act .... (this act), section 9107 (1) (i) 3. **Vetoed In Part**

(b) The board shall ensure that the aquaculture demonstration facility provides applied research and training to aquaculturists, including Native American aquaculturists, and to personnel at state fish hatcheries and that the **Vetoed In Part**

Vetoed In Part

research and training emphasize all of the following areas related to aquaculture:

1. Environmental impact.
2. Water quality.
3. Appropriate water use.
4. Fish health science.
5. Innovative aquaculture methods and practices.
6. Demonstration, education and outreach activities through the extension.

SECTION 887d. 36.11 (36m) of the statutes is created to read:

36.11 **(36m)** SCHOOL SAFETY RESEARCH. The board shall direct the schools of education and other appropriate research–oriented departments within the system, to work with the technical college system board under s. 38.04 (27), school districts, private schools and the department of public instruction to present to school districts and private schools the results of research on models for and approaches to improving school safety and reducing discipline problems in schools and at school activities.

SECTION 887m. 36.11 (37) of the statutes is created to read:

36.11 **(37)** EXTENSION LOCAL PLANNING PROGRAM. The board shall offer a local planning program through the extension to educate local policymakers about local planning and the grant program under s. 16.965.

Vetoed In Part

SECTION 887r. 36.11 (38) of the statutes is created to read:

36.11 **(38)** STUDY OF PROGRAMS IN MARATHON COUNTY. The board shall study the feasibility of expanding the offering of 4–year and graduate degree programs in Marathon County when sufficient private funds or funds from a municipality, as defined in s. 67.01 (5), have been raised to pay for the study. The board shall submit a copy of the report under this subsection to the governor, and to the legislature under s. 13.172 (2).

SECTION 887s. 36.11 (39) of the statutes is created to read:

36.11 **(39)** GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES . The board shall establish the Gaylord Nelson chair of integrated environmental studies and seek private funding for this chair.

SECTION 887t. 36.11 (40) of the statutes is created to read:

36.11 **(40)** CENTER FOR COOPERATIVES. The board shall maintain a center for cooperatives at the University of Wisconsin–Madison.

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).

Vetoed In Part

SECTION 890m. 36.25 (29g) of the statutes is created to read:

36.25 **(29g)** The board shall establish in the college of natural resources at the University of Wisconsin–Stevens Point a center to conduct studies and research relating to watershed management.

SECTION 891. 36.25 (30) of the statutes is amended to read:

36.25 **(30)** ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION ~~PROGRAM~~. The board shall ~~establish~~ maintain in the extension a ~~hazardous pollution prevention program~~ solid and hazardous waste education center to promote ~~hazardous~~ pollution prevention, as defined in s. 299.13 (1) ~~(c)~~ (dm). In cooperation with the department of natural resources and the department of commerce, the ~~program~~ center shall conduct an education and technical assistance program to promote ~~hazardous~~ pollution prevention in this state.

SECTION 891b. 36.25 (30g) of the statutes is amended to read:

36.25 **(30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall establish in the extension~~, in cooperation with the recycling market development board,~~ a program of education and technical assistance related to recycling market development. The program shall serve waste generators~~, as defined in s. 287.40 (4)~~; solid waste scrap brokers, dealers and processors; business entities that use or could use recovered materials or that produce or could produce products from recovered materials and persons who provide support services to those business entities; and the general public.

SECTION 891g. 36.25 (44) of the statutes is created to read:

36.25 **(44)** INTERNATIONAL BUSINESS DEVELOPMENT. The University of Wisconsin–Milwaukee shall collaborate with other institutions to develop and implement programs and training for Wisconsin businesses and University of Wisconsin System faculty in the area of international business development.

SECTION 891k. 36.25 (45) of the statutes is created to read:

36.25 **(45)** STRAY VOLTAGE RESEARCH. The board shall establish a stray voltage research program to conduct research on all of the following in the order of priority listed in pars. (a) to (e):

Vetoed In Part

Vetoed In Part

(a) Stray voltage problems on farms. The College of Agricultural and Life Sciences of the University of Wisconsin–Madison shall conduct on–site research under this paragraph.

(b) The nature of animal responses to stray voltage.

(c) Farms with potentially unique stray voltage problems.

(d) Field and economic performance analysis of electrical mitigation devices and systems.

(e) Research recommended in the Minnesota Science Advisors' Report to the Minnesota Public Utilities Commission.

SECTION 891m. 36.27 (1) (a) of the statutes is amended to read:

36.27 **(1)** (a) Subject to ~~par.~~ pars. (am) and (c), the board may establish for different classes of students differing tuition and fees incidental to enrollment in educational programs or use of facilities in the system. Except as otherwise provided in this section, the board may charge any student who is not exempted by this section a nonresident tuition. The board may establish special rates of tuition and fees for the extension and summer sessions and such other studies or courses of instruction as the board deems advisable.

SECTION 891r. 36.27 (1) (am) of the statutes is created to read:

36.27 **(1)** (am) The board may not increase academic fees for resident undergraduate students beyond an amount sufficient to fund all of the following:

1. In a fiscal year beginning in an even–numbered year, the amount shown in the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning in an odd–numbered year, the highest amount shown in the schedule under s. 20.285 (1) (im) for that fiscal year in the substitute amendment, offered by the joint committee on finance, to the biennial budget bill; the engrossed biennial budget bill; or the enrolled biennial budget bill.

2. The approved recommendations of the secretary of employment relations for compensation and fringe benefits for classified staff, for unclassified employes specified in s. 230.12 (1) (a) 1. b. and for unclassified employes specified in s. 230.12 (3) (e). If these recommendations have not been approved by the joint committee on employment relations by the time the board sets academic fees, the board may raise academic fees for resident undergraduate students by an amount sufficient to fund the recommendations of the secretary of employment relations for compensation and fringe benefits for classified staff and for unclassified employes specified in s. 230.12 (1) (a) 1. b. and the board's recommendations for unclassified employes specified in s. 230.12 (3) (e). If the secretary of employment relations has not made recommendations by the time the board sets academic fees, the board may raise academic fees for resident undergraduate students by an amount sufficient to fund the board's estimate of compensation and fringe benefits for classified staff and for unclassified employes specified in s. 230.12 (1) (a) 1. b. and the board's recommendations for unclassified employes specified in s. 230.12 (3) (e). If the board sets academic fees based upon the board's estimate and the board's unapproved recommendations, and the recommendations of the board and the secretary of employment relations as finally approved by the joint committee on employment relations call for a lower rate of compensation and fringe benefits than the board's estimate and unapproved recommendations, the board shall lower academic student fees for resident undergraduate students for the next academic year by an amount equal to the difference between the academic fees charged and an amount sufficient to fund the approved recommendations. If the board sets academic fees based upon the board's estimate and unapproved recommendations, and the recommendations of the board and the secretary of employment relations as finally approved by the joint committee on employment relations call for a higher rate of compensation and fringe benefits than the board's estimate and unapproved recommendations, the board may raise academic student fees for resident undergraduate students for the next academic year by an amount equal to the difference between the academic fees charged and an amount sufficient to fund the approved recommendations.

3. The projected loss in revenue caused by a change in the number of enrolled undergraduate, graduate, resident and nonresident students from the previous academic year.

4. State–imposed costs not covered by general purpose revenue, as determined by the board. Beginning on December 15, 2000, and annually thereafter, the board shall report costs under this subdivision to the secretary of administration.

5. Distance education, nontraditional courses and intersession courses.

6. Differential tuition that is approved by the board and that is not included in the amount shown in the schedule under s. 20.285 (1) (im).

SECTION 891s. 36.27 (1) (b) of the statutes is created to read:

36.27 **(1)** (b) Beginning on December 15, 2000, and annually thereafter, the board shall submit a report to the legislature under s. 13.172 (2) containing the amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year exceeded the amount shown in the schedule for that appropriation in the previous fiscal year, the purposes for which the additional revenues were spent and the amount spent for each purpose.

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 Wiscon-

sin–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).

Vetoed In Part

SECTION 894m. 36.34 (1) (c) of the statutes is created to read:

36.34 **(1)** (c) 1. In this paragraph:

a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for fiscal year 2000–01, "base amount" means the amount shown in the schedule under s. 20.005 for that appropriation for fiscal year 1999–2000.

b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for each fiscal year after fiscal year 2000–01, "base amount" means the appropriation determined under subd. 2. for the previous fiscal year.

2. Annually, by February 1, the board shall determine the appropriation under s. 20.285 (4) (dd) for the next fiscal year as follows:

a. The board shall determine the percentage by which the resident undergraduate academic fees charged for the current academic year at each institution within the University of Wisconsin System has increased or decreased from the resident undergraduate academic fees charged for the previous academic year.

b. The appropriation for the next fiscal year shall be the result obtained by increasing, to the nearest $100, the base amount by the highest percentage increase determined under subd. 2. a., except that if the resident undergraduate academic fees for the current academic year decreased or did not change from the resident undergraduate academic fees charged for the previous academic year at each institution specified in subd. 2. a., the appropriation shall be the base amount.

SECTION 895. 36.34 (2) of the statutes is repealed.

SECTION 895m. 36.36 of the statutes is created to read:

36.36 Grants for study abroad. From the appropriation under s. 20.285 (1) (er), the board shall award a grant of $2,000 to a resident undergraduate student to assist in paying the costs associated with the student's study abroad if the student satisfies all of the following criteria:

(1) The student demonstrates financial need for the grant, as determined by the board.

(2) The student is enrolled full–time in the system in the semester preceding the student's study abroad.

(3) The student is enrolled in a program leading to an associate or bachelor's degree.

SECTION 895n. 36.55 of the statutes is created to read:

36.55 Reporting employment harassment and discrimination claims. By September 1 of each even–numbered year, the president shall submit a report to the chief clerk of each house for distribution to the legislature under s. 13.172 (2) that contains a description of each employment harassment or discrimination claim filed against the board or an employe of the board and resolved in favor of the claimant, the amount of any settlement paid to or judgment entered for the claimant and a description of any discipline of board employes resulting from the resolution of the claim.

SECTION 895s. 36.56 of the statutes is created to read:

36.56 Grants for forestry cooperatives. (1) From the appropriation under s. 20.285 (1) (qm), the center for cooperatives under s. 36.11 (40) may award grants to persons to form forestry cooperatives under ch. 185 that consist primarily of private, nonindustrial owners of woodland. A grant recipient shall provide matching funds equal to 50% of the grant amount awarded. The match may be in the form of money or in–kind services or both, but may not include money received from the state.

(2) In each fiscal year, the center for cooperatives may not encumber funds from the appropriation under s. 20.285 (1) (qm) for administrative expenses if the amounts encumbered in that fiscal year for administrative expenses exceed 5% of the total expenditures from the appropriation for the fiscal year.

SECTION 895t. 38.04 (10) (d) of the statutes is created to read:

38.04 **(10)** (d) 1. In consultation with representatives of business and labor, the board shall develop a separate approval process for district board proposals to purchase or construct facilities to be used as applied technology centers under s. 38.15 (3) (c). The board may not approve a proposal unless the board determines that all of the following apply:

a. The applied technology center is likely to maintain or increase the number of jobs in the region served by the center that require a high level of skill and provide high wages.

b. The productivity of employes who would be served by the center is likely to increase.

c. One or more businesses in the region served by the center will pay for all of the direct operating costs of services provided at the center and at least 20% of the indirect operating costs of services provided at the center, pursuant to a contract under s. 38.14 (3) (a), and will fund, either in cash or in kind, at least 30% of the capital costs of the center.

d. The district board consulted with representatives of business and labor on the development of the center.

2. By December 1 of the year in which a center approved under subd. 1. begins operating, and annually thereafter by December 1, the district board shall report to the board the change, since the center began operating, in the wages, productivity and level of skill of the employes who have been directly served by the center.

SECTION 896. 38.04 (18) of the statutes is created to read:

38.04 **(18)** STATEWIDE GUIDE. Annually, the board shall produce, and distribute to students, parents, high school personnel and others, a guide containing information on all of the technical colleges and their programs.

SECTION 896m. 38.04 (27) of the statutes is created to read:

38.04 **(27)** SCHOOL SAFETY. The board shall work with schools of education and other departments of the University of Wisconsin System under s. 36.11 (36m), school districts, private schools and the department of public instruction to present to school districts and private schools the results of research on models for and approaches to improving school safety and reducing discipline problems in schools and at school activities.

SECTION 897e. 38.15 (3) of the statutes is renumbered 38.15 (3) (intro.) and amended to read:

38.15 **(3)** (intro.) This section ~~applies to building~~ does not apply to any of the following:

(a) Building program actions approved by the board ~~after January 31, 1980. This section does not apply to building~~ before February 1, 1980.

(b) Building remodeling or improvement projects.

SECTION 897em. 38.15 (3) (c) of the statutes is created to read:

38.15 **(3)** (c) A capital expenditure to purchase or construct a facility to be used as an applied technology center if all of the following apply:

1. The district board adopts a resolution stating its intention to make a capital expenditure under this paragraph.

2. The board approves the proposal under s. 38.04 (10) (d) 1.

3. The capital expenditure is made before January 1, 2002.

4. The total amount of capital expenditures made by the district board under this paragraph does not exceed $5,000,000.

SECTION 897m. 38.15 (5) of the statutes is renumbered 38.15 (3) (d) and amended to read:

38.15 **(3)** (d) ~~This section does not apply to the~~ The acquisition of a building as a result of a lease under s. 38.14 (2) (d) 2. if the district makes no cash expenditure to acquire the building.

SECTION 897s. 38.18 of the statutes is amended to read:

38.18 Contracts and bidding. All contracts made by a district board for public construction in a district~~, the estimated cost of which exceeds $10,000,~~ shall be let by the district board to the lowest responsible bidder in accordance with s. 62.15 (1) to (11) and (14). For purposes of this section, the district board shall possess the powers conferred by s. 62.15 on the board of public works and the common council. All contracts made under this section shall be made in the name of the district and shall be executed by the district board chairperson and district board secretary.

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. 16.004 (14), 38.04 (8) and (20), 38.14 (11), 38.26, 38.27, 38.30, 38.31, 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 901g. 38.30 of the statutes is created to read:

38.30 Grants to students. (1) Beginning in the 2000–01 school year, the board shall award a grant of $500 to each first–year student who satisfies all of the following criteria:

(a) The student enrolled in a district college within 3 years of graduating from a high school in this state.

(b) The student is enrolled full time, as determined by the board, in an associate degree program or a vocational diploma program.

(c) The student maintains a grade point average of at least 2.0.

(2) A student who received a grant under sub. (1) is eligible for an equivalent grant in the following school year if he or she satisfies the criteria under sub. (1) (b) and (c).

(3) Grants under this section shall be awarded from the appropriation under s. 20.292 (1) (ep).

(4) The board shall promulgate rules to implement and administer this section, including rules on refunding a grant if a student becomes ineligible for the grant.

SECTION 901r. 38.31 of the statutes is created to read:

38.31 Grants for additional courses. From the appropriation under s. 20.292 (1) (er), the board shall award grants to district boards for the purpose of adding sections in courses in which student demand exceeds capacity. The board shall promulgate rules establishing criteria for judging grant applications.

Vetoed In Part

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 907. 39.285 (3) of the statutes is amended to read:

39.285 **(3)** By April 10, 1998, and annually thereafter, each tribally controlled college in this state is requested to develop and submit to the board for its review under sub. (1) a proposed formula for the awarding of grants under s. ~~39.30~~ 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year to students enrolled at that tribally controlled college.

SECTION 908. 39.30 (2) (intro.) of the statutes is amended to read:

39.30 **(2)** ELIGIBILITY. (intro.) A resident student enrolled at least half–time and registered as a freshman, sophomore, junior or senior in an accredited, nonprofit, ~~post high~~ post–high school, educational institution in this state ~~or in a tribally controlled college in this state~~ shall be eligible for grants under this section for each semester of attendance, but:

SECTION 909. 39.30 (2) (e) of the statutes is amended to read:

39.30 **(2)** (e) The board may not make a grant to a student ~~if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 910. 39.30 (2) (f) of the statutes is amended to read:

39.30 **(2)** (f) No grants may be awarded under this section unless the ~~applicable~~ formula submitted under s. 39.285 (2) ~~or (3)~~ is approved or modified by the board under s. 39.285 (1).

SECTION 911. 39.30 (3) (g) of the statutes is repealed.

SECTION 912. 39.38 (2) of the statutes is amended to read:

39.38 **(2)** Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed $2,200 per year, of which not more than $1,100 may be from the appropriation under s. 20.235 (1) ~~(fb)~~ (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be awarded to students for full–time or part–time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses. Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

SECTION 912c. 39.38 (2) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

39.38 **(2)** Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed $2,200 per year, of which not more than $1,100 may be from the appropriation under s. 20.235 (1) (k). State aid from this appropriation may be matched by a contribution from a federally recognized American Indian tribe or band that is deposited in the general fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be awarded to students for full–time or part–time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student ~~if the board receives a certification under s. 49.855 (7) that the student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the institution that he or she is attending.

SECTION 912f. 39.41 (1) (bm) of the statutes is amended to read:

39.41 **(1)** (bm) "Senior" means a pupil enrolled in the 12th grade in a public or private high school, the Wisconsin ~~school~~ School for the ~~deaf and~~ Deaf or the ~~Wisconsin school for the visually handicapped~~ school operated by the Wisconsin Center for the Blind and Visually Impaired.

SECTION 912g. 39.41 (1m) (c) 1. of the statutes is amended to read:

39.41 **(1m)** (c) 1. For the ~~Wisconsin school for the visually handicapped~~ school operated by the Wisconsin Center for the Blind and Visually Impaired, designate the senior with the highest grade point average in all subjects as a scholar.

SECTION 913m. 39.41 (1m) (d) of the statutes is amended to read:

39.41 **(1m)** (d) ~~By~~ Except as provided in par. (dm), by February 15 of each school year, if 2 or more seniors from the same high school of at least 80 pupils have the same grade point average and, except for the limitation on the number of designated scholars, are otherwise eligible for designation under par. (a), the faculty of the high school shall select the applicable number of seniors for designation under par. (a) as scholars and shall certify, in order of priority, any remaining seniors as alternates for a scholar with the same grade point average. If a senior from that high school designated as a scholar under par. (a) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same grade point average as any senior from that high school designated as a scholar under par. (a) shall be eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

SECTION 913mr. 39.41 (1m) (dm) of the statutes is created to read:

39.41 **(1m)** (dm) If the high school weights different courses differently to determine a pupil's grade point average, the faculty of the high school shall select for each scholar designated under par. (d) a senior with the same grade point average as an alternate for the scholar, or, if there is not another pupil with the same grade point average, a senior with the next highest grade point average as an alternate for the scholar.

SECTION 913ms. 39.41 (1m) (e) of the statutes is amended to read:

39.41 **(1m)** (e) ~~If~~ Except as provided under par. (em), if 2 or more seniors from the same high school of less than 80 pupils have the same grade point average and, except for the limitation of one nominated senior, are otherwise eligible for nomination under par. (b), the faculty of the high school shall select the senior who may be nominated by the school board of the school district operating the public high school or the governing body of the private high school for designation under par. (b) as a scholar by the executive secretary. If that senior is designated as a scholar by the executive secretary and does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), faculty of the high school shall select one or more of the remaining seniors with the same grade point average for certification as a scholar and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board one or more of these seniors as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

SECTION 913mt. 39.41 (1m) (em) of the statutes is created to read:

39.41 **(1m)** (em) If the high school weights different courses differently to determine a pupil's grade point average, and the senior designated as a scholar by the executive secretary under par. (e) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one senior with the same grade point average for certification as a scholar, or, if there is no senior with the same grade point average, one senior with the next highest grade point average for certification as a scholar, and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board the selected senior as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

SECTION 913mv. 39.41 (1m) (f) of the statutes is amended to read:

39.41 **(1m)** (f) If 2 or more seniors from the ~~Wisconsin school for the visually handicapped~~ school operated by the Wisconsin Center for the Blind and Visually

Impaired have the same grade point average and, except for the limitation of one designated senior, are otherwise eligible for designation under par. (c) 1., the executive secretary shall make the designation under par. (c) 1. of the senior who may be eligible for a higher education scholarship as a scholar and, if that senior does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the remaining seniors with the same grade point average as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

SECTION 915. 39.435 (1) of the statutes is amended to read:

39.435 **(1)** There is established, to be administered by the board, a higher education grant program for postsecondary resident students enrolled at least half–time and registered as freshmen, sophomores, juniors or seniors in accredited institutions of higher education or in tribally controlled colleges in this state. Except as authorized under sub. (5), such grants shall be made only to students enrolled in nonprofit public institutions or tribally controlled colleges in this state.

SECTION 916. 39.435 (4) (a) of the statutes is amended to read:

39.435 **(4)** (a) The board shall ~~promulgate rules establishing policies and procedures for determining dependent and independent status and for the calculation of~~ award grants under this section based on a formula that accounts for expected parental and student contributions~~. The rules shall be~~ and is consistent with generally accepted definitions and nationally approved needs analysis methodology.

SECTION 917. 39.435 (4) (b) and (c) of the statutes are repealed.

SECTION 918. 39.435 (6) of the statutes is amended to read:

39.435 **(6)** The board may not make a grant under this section to a person if ~~the board receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

Vetoed In Part

SECTION 918g. 39.435 (7) of the statutes is created to read:

39.435 **(7)** (a) In this subsection:

1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for fiscal year 2000–01, "base amount" means the amount shown in the schedule under s. 20.005 for that appropriation for fiscal year 1999–2000.

Vetoed In Part

2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for each fiscal year after fiscal year 2000–01, "base amount" means the maximum appropriation amount determined under par. (b) for the previous fiscal year.

(b) Annually, by February 1, the board shall determine the appropriation under s. 20.235 (1) (fe) for the next fiscal year as follows:

1. The board shall determine the percentage by which the resident undergraduate academic fees charged for the current academic year at each institution within the University of Wisconsin System has increased or decreased from the resident undergraduate academic fees charged for the previous academic year.

2. The appropriation for the next fiscal year shall be the result obtained by increasing, to the nearest $100, the base amount by the highest percentage increase determined under subd. 1., except that if the resident undergraduate academic fees for the current academic year decreased or did not change from the resident undergraduate academic fees charged for the previous academic year at each institution specified in subd. 1., the appropriation shall be the base amount.

SECTION 918r. 39.435 (8) of the statutes is created to read:

39.435 **(8)** (a) In this subsection:

1. For purposes of determining the appropriation under s. 20.235 (1) (fd) for fiscal year 2000–01, "base amount" means the amount shown in the schedule under s. 20.005 for that appropriation for fiscal year 1999–2000.

2. For purposes of determining the appropriation under s. 20.235 (1) (fd) for each fiscal year after fiscal year 2000–01, "base amount" means the maximum appropriation amount determined under par. (b) for the previous fiscal year.

(b) Annually, by February 1, the board shall determine the appropriation under s. 20.235 (1) (fd) for the next fiscal year as follows:

1. The board shall determine the percentage by which the resident undergraduate academic fees charged for the current academic year at each institution within the University of Wisconsin System has increased or decreased from the resident undergraduate academic fees charged for the previous academic year.

2. The appropriation for the next fiscal year shall be the result obtained by increasing, to the nearest $100, the base amount by the highest percentage increase determined under subd. 1., except that if the resident undergraduate academic fees for the current academic year decreased or did not change from the resident undergraduate academic fees charged for the previous academic year at each institution specified in subd. 1., the appropriation shall be the base amount.

SECTION 919. 39.44 (4) of the statutes is amended to read:

39.44 **(4)** The board shall notify an institution or school receiving funds under sub. (2) if ~~the board receives a certification under s. 49.855 (7) that a student is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ a student's name appears on the statewide support lien docket under s. 49.854 (2) (b). An institution or school may not award a grant under this section to a student if it receives a notification under this subsection concerning that student, unless the student provides to the institution or school a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 920. 39.47 (2m) of the statutes is amended to read:

39.47 **(2m)** No resident of this state whose name appears on the statewide support lien docket under s 49.854 (2) (b) may receive a waiver of nonresident tuition under this section ~~if the board receives a certification under s. 49.855 (7) that the resident is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~, unless the resident provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 921m. 39.51 (title) and (1) (a) to (d) of the statutes are renumbered 45.54 (title) and (1) (a) to (d).

SECTION 923. 39.51 (1) (e) of the statutes is renumbered 45.54 (1) (e) (intro.) and amended to read:

45.54 **(1)** (e) (intro.) "School" ~~means any person, located within or outside this state, maintaining, advertising or conducting any course or course of instruction for profit or a tuition charge; but in subs. (7), (8) and (10) "school"~~ means any private trade, correspondence, business or technical school ~~not excepted under sub. (9).~~, but does not include any of the following:

SECTION 923m. 39.51 (1) (f) and (g) of the statutes are renumbered 45.54 (1) (f) and (g).

SECTION 925m. 39.51 (2) to (8) of the statutes are renumbered 45.54 (2) to (8), and 45.54 (5), as renumbered, is amended to read:

45.54 **(5)** EMPLOYES, QUARTERS. The board shall employ a person to perform the duties of an executive secretary and such other persons under the classified service as may be necessary to carry out its purpose. The person performing the duties of the executive secretary shall be in charge of the administrative functions of the board. The board shall, to the maximum extent practicable, keep its office with the ~~higher educational aids board~~ department of veterans affairs.

SECTION 927. 39.51 (9) (title) and (intro.) of the statutes are repealed.

SECTION 928. 39.51 (9) (a) to (h) of the statutes are renumbered 45.54 (1) (e) 1. to 8.

SECTION 929m. 39.51 (10) of the statutes is renumbered 45.54 (10).

SECTION 930t. 40.02 (17) (g) of the statutes is repealed.

SECTION 930v. 40.02 (17) (gm) of the statutes is created to read:

40.02 **(17)** (gm) Any assistant district attorney in a county having a population of 500,000 or more who did not have vested benefit rights under the retirement system established under chapter 201, laws of 1937, who became a participating employe on January 1, 1990, and who is a participating employe on the effective date of this paragraph .... [revisor inserts date], shall receive creditable service for the total period of his or her service under the retirement system established under chapter 201, laws of 1937.

SECTION 930vc. 40.02 (25) (b) 1. of the statutes is amended to read:

40.02 **(25)** (b) 1. Any teacher who is employed by the university for an expected duration of not less than 6 months on at least a one–third full–time employment basis and who is not described in subd. 1m.;

SECTION 930vq. 40.02 (25) (b) 1m. of the statutes is created to read:

40.02 **(25)** (b) 1m. Any teacher who is a participating employe and who is employed by the university for an expected duration of not less than 6 months on at least a one–third full–time employment basis;

SECTION 930wb. 40.02 (26) (intro.) of the statutes is amended to read:

40.02 **(26)** (intro.) "Employe" means any person who receives earnings as payment for personal services rendered for the benefit of any employer including officers of the employer, except as provided in subch. X. An employe is deemed to have separated from the service of an employer at the end of the day on which the employe last performed services for the employer, or, if later, the day on which the employe–employer relationship is terminated because of the expiration or termination of leave without pay, sick leave, vacation or other leave of absence. A person shall not be considered an employe if a person:

SECTION 930wm. 40.02 (26) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 930wb, is amended to read:

40.02 **(26)** (intro.) "Employe" means any person who receives earnings as payment for personal services rendered for the benefit of any employer including officers of the employer~~, except as provided in subch. X~~. An employe is deemed to have separated from the service of an employer at the end of the day on which the employe last performed services for the employer, or, if later, the day on which the employe–employer relationship is terminated because of the expiration or termination of leave

without pay, sick leave, vacation or other leave of absence. A person shall not be considered an employe if a person:

SECTION 931b. 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, a local exposition district created under subch. II of ch. 229 and a family care district created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3)~~, or a local exposition district created under subch. II of ch. 229~~ and subch. X. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

SECTION 931c. 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 931b, 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, a local exposition district created under subch. II of ch. 229 and a family care district created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3) ~~and subch. X~~. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

SECTION 932. 40.02 (36) of the statutes is amended to read:

40.02 **(36)** "Governing body" means the legislature or the head of each state agency with respect to employes of that agency for the state, the common council in cities, the village board in villages, the town board in towns, the county board in counties, the school board in school districts, or the board, commission or other governing body having the final authority for any other unit of government, for any agency or instrumentality of 2 or more units of government, for any federated public library system established under s. 43.19 whose territory lies within a single county with a population of 500,000 or more ~~or~~, for a local exposition district created under subch. II of ch. 229 or for a family care district created under s. 46.2895.

SECTION 935. 40.02 (48) (am) of the statutes is amended to read:

40.02 **(48)** (am) "Protective occupation participant" includes any participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, member of the state traffic patrol, state motor vehicle inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic police officer, state forest ranger, fire watcher employed by the Wisconsin veterans home, state correctional–psychiatric officer, excise tax investigator employed by the department of revenue, special criminal investigation agent in the department of justice, assistant or deputy fire marshal, or person employed under s. 61.66 (1).

SECTION 936. 40.02 (48) (b) 4. of the statutes is created to read:

40.02 **(48)** (b) 4. A "member of the state traffic patrol" includes one division administrator in the department of transportation who is counted under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division administrator is certified by the law enforcement standards board under s. 165.85 (4) (b) 1. as being qualified to be a law enforcement officer.

SECTION 936t. 40.03 (2) (g) of the statutes is amended to read: **Vetoed In Part**

40.03 **(2)** (g) Shall submit once each year to each participant currently making contributions, and to any other participant upon request or as in the secretary's judgment is desirable, a statement of the participant's account together with appropriate explanatory material. The secretary shall ensure that the participant's social security number does not appear on the statement.

SECTION 939t. 40.05 (2) (bz) of the statutes is created to read:

40.05 **(2)** (bz) The employer contribution rate determined under par. (b) for the department of administration shall be adjusted to reflect the cost of granting creditable service under s. 40.02 (17) (gm) and that rate shall be sufficient to amortize the unfunded prior service liability of the department of administration over the remainder of the 40–year amortization period under par. (b).

SECTION 940c. 40.05 (4) (a) 2. of the statutes is amended to read:

40.05 **(4)** (a) 2. For an insured employe who is an eligible employe under s. 40.02 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the date on which the employe becomes insured. For an insured employe who is currently employed but who is not an eligible employe under s. 40.02 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the first day of the 7th month beginning after the date on which the employe begins employment with the state, not including any leave of absence.

SECTION 940d. 40.05 (4) (ag) 2. of the statutes is amended to read:

40.05 **(4)** (ag) 2. For eligible employes not specified in subd. 1., 90% of the gross premium for the standard

health insurance plan offered to state employes by the group insurance board or 105% of the gross premium, excluding any premium cost related to the point–of–service option plan required to be offered under s. 609.10, of the alternative qualifying plan offered under s. 40.03 (6) that is the least costly qualifying plan within the county in which the alternate plan is located, whichever is lower, but not more than the total amount of the premium. Employer contributions for employes who select the standard plan shall be based on their county of residence. Qualifying health insurance plans shall be determined in accordance with standards established by the group insurance board.

SECTION 940tc. 40.41 (6) (b) of the statutes is amended to read:

40.41 **(6)** (b) Services performed by ~~a student or~~ a member of a board or commission, except members of governing bodies, in a position or office which does not normally require actual performance of duty for at least 600 hours in each calendar year. For purposes of this paragraph, a "board" or "commission" is a body referred to in the statutes as a board or commission.

SECTION 940tr. 40.41 (6) (c) of the statutes is created to read:

40.41 **(6)** (c) Service performed in the employ of a school, college or university, if the service is performed by a student who is enrolled and regularly attending classes at the school, college or university.

SECTION 944m. 40.63 (1) (c) of the statutes is amended to read:

40.63 **(1)** (c) The employe is not entitled to any earnings from the employer and the employer has certified that it has paid to the employe all earnings to which the employe is entitled, that the employe is on a leave of absence and is not expected to resume active service, or that the employe's participating employment has been terminated, because of a disability as described in par. (b) and as a consequence the employe is not entitled to any earnings from the employer. In this paragraph, "earnings" does not include bonus compensation to which the employe ~~is~~ was entitled under s. 25.156 (7) (a), 1997 stats.

Vetoed In Part

SECTION 944w. 40.82 (3) of the statutes is created to read:

40.82 **(3)** The deferred compensation board shall ensure that any statement sent to employes who participate in a deferred compensation plan established under this subchapter does not contain the social security number of the employe.

SECTION 944ym. Subchapter X of chapter 40 [precedes 40.98] of the statutes is created to read:

CHAPTER 40

SUBCHAPTER X

PRIVATE EMPLOYER HEALTH CARE COVERAGE

40.98 Health care coverage. (1) In this subchapter:

(ag) "Abortion" means the use of an instrument, medicine, drug or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant or for whom there is reason to believe that she may be pregnant and with intent other than to increase the probability of a live birth, to preserve the life or health of the infant after live birth or to remove a dead fetus.

(ar) "Board" means the private employer health care coverage board.

(b) "Dependent" means a spouse, an unmarried child under the age of 19 years, an unmarried child who is a full–time student under the age of 21 years and who is financially dependent upon the parent, or an unmarried child of any age who is medically certified as disabled and who is dependent upon the parent.

(c) "Employe" means any person who receives earnings as payment for personal services rendered for the benefit of any employer including officers of the employer. An employe is considered to have separated from the service of an employer at the end of the day on which the employe last performed services for the employer, or, if later, the day on which the employe–employer relationship is terminated because of the expiration or termination of leave without pay, sick leave, vacation or other leave of absence. A person shall not be considered an employe if any of the following applies:

1. The person is employed under a contract involving the furnishing of more than personal services.

2. The person is customarily engaged in an independently established trade, business or profession providing the same type of services to more than one employer and the person's services to an employer are not compensated for on a payroll of that employer.

3. The person is a patient or inmate of a hospital, home or institution and performs services in the hospital, home or institution.

(d) "Employer" means any person doing business or operating an organization in this state and employing at least 2 employes, except that for a person operating a farm business the person must employ at least one employe. "Employer" does not include an employer as defined in s. 40.02 (28).

(e) "Health care coverage program" means the health care coverage program established under sub. (2) (a).

(f) "Insurer" has the meaning given in s. 600.03 (27).

(g) "Nontherapeutic abortion" means an abortion that is not directly and medically necessary to prevent the death of the woman.

(2) (a) 1. The department shall design an actuarially sound health care coverage program for employers that includes more than one group health care coverage plan and that provides coverage beginning not later than January 1, 2001. The health care coverage program shall be known as the "Private Employer Health Care Purchasing Alliance". In designing the health care coverage program, the department shall consult with the office of the

commissioner of insurance and may consult with the departments of commerce and health and family services. The health care coverage program may not be implemented until it is approved by the board.

2. The department shall solicit and accept bids and make every reasonable effort to enter into a contract for the administration of the health care coverage plans under the program, based on criteria established by the board. If the department has not entered into a contract for the administration of the health care coverage plans under the program for coverage to begin before January 1, 2001, the department shall submit a report to the cochairpersons of the joint committee on finance specifying the department's reasons for not entering into a contract. After submitting the report to the cochairpersons of the joint committee on finance, the department shall provide all administrative services necessary for the provision of the health care coverage plans under the program. During the period that the department is providing the administrative services, the department shall continue to make every reasonable effort to contract for the administration of the health care coverage plans under the program.

3. The administrator selected under subd. 2., or the department if no administrator has been selected under subd. 2., shall enter into contracts with insurers who are to provide health care coverage under the health care coverage program.

4. The department shall solicit and accept bids and shall enter into a contract for marketing the health care coverage program.

5. The department shall maintain a toll–free telephone number to provide information on the health care coverage program.

(b) Every health care coverage plan under the health care coverage program is subject to the provisions of chs. 600 to 646 that apply to group health benefit plans, as defined in s. 632.745 (9), to the same extent as any other group health benefit plan, as defined in s. 632.745 (9).

(bm) No health care coverage plan under the health care coverage program may provide coverage of a nontherapeutic abortion except by an optional rider or supplemental coverage provision that is offered and provided on an individual basis and for which an additional, separate premium or charge is paid by the individual to be covered under the rider or supplemental coverage provision. Only funds attributable to premiums or charges paid for coverage under the rider or supplemental coverage provision may be used for the payment of any claim, and related administrative expenses, that relates to a nontherapeutic abortion. Such funds may not be used for the payment of any claim or administrative expenses that relate to any other type of coverage provided by the insurer under the health care coverage plan. Nothing in this paragraph requires an insurer or an employer to offer or provide coverage of an abortion under a health care coverage plan under the health care coverage program.

(c) The health care coverage program established under par. (a), or any health care coverage plan included in the program, may not be combined with any health care coverage plan under subch. IV.

(d) All insurance rates for health care coverage under the program shall be published annually in a single publication that is made available to employers and employes. The rates may be listed by county or by any other regional factor that the board considers appropriate.

(e) All plans under the health care coverage program shall have an enrollment period that is established by the board.

(f) 1. If the department has selected an administrator under par. (a) 2., the administrator shall charge employers who participate in the health care coverage program a fee to cover the cost of administrative services for the health care coverage program. The administrator shall reimburse the department for the expenses incurred by the department in designing, marketing and contracting for administrative services for the program. All moneys received by the department under this subdivision shall be credited to the appropriation account under s. 20.515 (2) (g).

2. If the department has not selected an administrator under par. (a) 2., the department shall charge employers who participate in the health care coverage program a fee to cover the costs incurred by the department in designing, marketing and providing administrative services for the health care coverage program. All moneys received by the department under this subdivision shall be credited to the appropriation account under s. 20.515 (2) (g).

(g) The department may not sell any health care coverage under the health care coverage program to an employer or enroll any employe in the health care coverage program, but the department shall make information about the program available to employers on a statewide basis.

(3) Any employer who participates in the health care coverage program shall do all of the following:

(a) Offer health care coverage under one or more plans to all of its permanent employes who have a normal work week of 30 or more hours and may offer health care coverage under one or more plans to any of its other employes.

(b) Provide health care coverage under one or more plans to at least 50% of its permanent employes who have a normal work week of 30 or more hours and who do not otherwise receive health care coverage as a dependent under any other plan that is not offered by the employer or a percentage of such employes specified by the board, whichever percentage is greater.

(c) Pay for each employe at least 50% but not more than 100% of the lowest premium rate that would be

available to the employer for that employe's coverage under the health care coverage program.

(d) Make premium payments for the health care coverage of its employes in the manner specified by the board.

(4) Any employer that provides health care coverage for its employes under the program and that voluntarily terminates coverage under the program is not eligible to participate in the program for at least 3 years from the date that coverage is terminated.

(5) Any insurer that offers a health care coverage plan under the health care coverage program shall provide coverage under the plan to any employer that applies for coverage, and to all of the employer's employes who elect coverage under the health care coverage plan, without regard to the health condition or claims experience of any individual who would be covered under the health care coverage plan if all of the following apply:

(a) The employer agrees to pay the premium required for coverage under the health care coverage plan.

(b) The employer agrees to comply with all provisions of the health care coverage plan that apply generally to a policyholder or an insured without regard to health condition or claims experience.

(6) (a) Health care coverage under the health care coverage program may only be sold by insurance agents licensed under ch. 628.

(b) An insurance agent may not sell any health care coverage under the health care coverage program on behalf of an insurer unless he or she is employed by the insurer or has a contract with the insurer to sell the health care coverage on behalf of the insurer.

(c) The board shall set, and may adjust as often as semiannually, the commission rate for the sale of a policy under the health care coverage program. The rate shall be based on the average commission rate that insurance agents are paid in the state for the sale of comparable health insurance policies at the time that the rate is set or adjusted.

(d) An insurer shall specify on the first page of any policy sold under the health care coverage program the amount of the commission paid to the insurance agent.

(7) (a) Annually, on or before December 31, the board shall submit a report to the appropriate standing committees under s. 13.172 (3) and to the governor on the operation of the health care coverage program. The report shall specify the number of employers and employes participating in the health care coverage program, calculate the costs of the health care coverage program to employers and their employes and include recommendations for improving the health care coverage program.

(b) No later than January 1, 2008, the board shall submit a report to the appropriate standing committees under s. 13.172 (3) and to the governor that offers recommendations as to whether the department should continue to be involved in the design, marketing and contracting for administrative services for the health care coverage program. If the board recommends that the department not be involved in the performance of these functions, the board shall submit proposed legislation eliminating the department's involvement in the performance of these functions to the appropriate standing committees under s. 13.172 (3) at the time that the board submits its report.

SECTION 944yr. Subchapter X of chapter 40 [precedes 40.98] of the statutes, as created by 1999 Wisconsin Act .... (this act), section 944ym, is repealed.

SECTION 944yt. 41.11 (4m) of the statutes is created to read:

41.11 **(4m)** ACCESS TO CUSTOMER INFORMATION; FEES. (a) 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. The department may not refuse to reveal such information to representatives of the news media.

(b) 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 945am. 41.17 (2) of the statutes is amended to read:

41.17 **(2)** ELIGIBILITY. Any public or private organization not organized or incorporated for profit<u>, including a tribal organization of a federally recognized American Indian tribe or band in this state, and any elected governing body of a federally recognized American Indian tribe or band in this state</u> may apply to the department for joint effort marketing funds under this section. Prior to applying for such funds, each prospective applicant shall have submitted, at the time and in the manner provided by departmental rule, a plan and budget specifying the media to be used, the market to be approached, the facilities and attractions to be promoted and the applicant's estimated expenditures and receipts for the various projects within the plan. If such plan is coordinated with the statewide marketing strategy, the department shall approve it and the submitting organization <u>or governing body</u> shall be eligible to apply for joint effort marketing funds under this section.

SECTION 945ar. 41.17 (3) (intro.) of the statutes is amended to read:

41.17 **(3)** WRITTEN AGREEMENTS. (intro.) Each joint effort marketing project shall be implemented by a written agreement between the department and the applicant organization~~, which~~ <u>or governing body. The agreement</u> shall specify at a minimum:

SECTION 945b. 41.17 (4) (a) of the statutes is amended to read:

41.17 **(4)** (a) No state funds may be released for a project ~~which~~ that is not included within an advertising plan and budget submitted by an eligible organization or governing body and approved by the department.

SECTION 945c. 41.17 (5) of the statutes is created to read:

41.17 **(5)** FUNDING SOURCE. Subject to the 50% limitation under s. 20.380 (1) (b) and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the department shall expend, from the appropriations under s. 20.380 (1) (b) and (kg), at least $1,130,000 in the aggregate in each fiscal year in joint effort marketing funds under this section.

SECTION 945d. 41.41 (7) (cm) of the statutes is created to read:

41.41 **(7)** (cm) Acquire development rights in land any portion of which is approved by the department for inclusion in the Kickapoo valley reserve. Purchases under this paragraph are subject to the approval of the governor under s. 20.914 (1).

SECTION 945dc. 42.035 of the statutes is created to read:

42.035 Treatment of certain state fair park board employes. Notwithstanding s. 230.08 (2) (pm), those employes holding positions in the classified service at the state fair park board on the effective date of this section .... [revisor inserts date], who have achieved permanent status in class before that date, shall retain, while serving in the unclassified service at the state fair park board, those protections afforded employes in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction in base pay. Those employes of the state fair park board on the effective date of this section .... [revisor inserts date], who have not achieved permanent status in class in any position at the state fair park board on that date are eligible to receive the protections, privileges and rights preserved under this section if they successfully complete service equivalent to the probationary period required in the classified service for the position that they hold on that date.

SECTION 945dd. 43.17 (9) (a) of the statutes is amended to read:

43.17 **(9)** (a) All contracts for public construction~~, the estimated cost of which exceeds $5,000,~~ made by a federated public library system whose territory lies within 2 or more counties or by a federated public library system whose territory lies within a single county with a population of at least 500,000 shall be let by the public library system board to the lowest responsible bidder in accordance with s. 62.15 (1) to (11) and (14). For purposes of this section, the system board possesses the powers conferred by s. 62.15 on the board of public works and the common council. All contracts made under this section shall be made in the name of the federated public library system and shall be executed by the system board president and such other board officer as the system board designates.

SECTION 945de. 43.24 (1) (intro.) of the statutes is amended to read:

43.24 **(1)** (intro.) Each public library system shall be paid state aid for the operation and maintenance of the system. ~~The~~ Except as provided in pars. (b) and (c), the amount paid to each system shall be determined as follows:

SECTION 945dh. 43.24 (1) (a) of the statutes is repealed and recreated to read:

43.24 **(1)** (a) 1. Determine the percentage change in the total amount appropriated under s. 20.255 (3) (e) between the previous fiscal year and the current fiscal year.

2. Multiply the amount of state aid received by the system in the previous fiscal year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

SECTION 945dp. 43.24 (1) (b) of the statutes is repealed and recreated to read:

43.24 **(1)** (b) If the territory of a public library system is altered, the department shall adjust the aid paid to that system under par. (a). The department shall promulgate rules establishing the method the department will use to make the adjustment.

SECTION 945dt. 43.24 (1) (c) of the statutes is repealed and recreated to read:

43.24 **(1)** (c) Beginning in the fiscal year in which the total amount of state aid appropriated for public library systems under s. 20.255 (3) (e), as determined by the department, equals at least 11.25% of the total operating expenditures for public library services from local and county sources in the calendar year ending in that fiscal year, the amount paid to each system shall be determined by adding the result of each of the following calculations:

1. Multiply the system's percentage of the state's population by the product of the amount appropriated under s. 20.255 (3) (e) and 0.85.

2. Multiply the system's percentage of the state's geographical area by the product of the amount appropriated under s. 20.255 (3) (e) and 0.075.

3. Divide the sum of the payments to the municipalities and counties in the system under subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated payments under s. 79.015, by the total of all payments under subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated payments under s. 79.015, and multiply the result by the product of the amount appropriated under s. 20.255 (3) (e) and 0.075.

SECTION 945e. 44.015 (6) of the statutes is renumbered 44.015 (10).

SECTION 945f. 44.015 (7) of the statutes is created to read:

44.015 **(7)** Contract with the Wisconsin History Foundation, Inc., for the purpose of administering the historical society's membership program.

SECTION 945g. 44.02 (28) of the statutes is created to read:

44.02 **(28)** In the 1999–2001 fiscal biennium, pay the amount appropriated under s. 20.245 (3) (c) to the city of Neenah to restore the Neenah city clock tower if the city of Neenah contributes matching funds of at least $25,000.

SECTION 945m. 44.08 of the statutes is repealed.

SECTION 945s. 44.16 of the statutes is amended to read:

44.16 ~~Historic sites foundation~~ Circus World Museum Foundation. (1) The historical society may enter into a lease agreement with the ~~historic sites foundation, inc.~~ Circus World Museum Foundation, Inc., for the purpose of operating Circus World Museum, located in Baraboo, Wisconsin. The lease agreement shall not include any provision for the payment of a percentage of gross admissions income at Circus World Museum to the historical society.

(2) Upon request of the board of directors of the ~~historic sites foundation, inc.~~ Circus World Museum Foundation, Inc., the governor may nominate, and with the advice and consent of the senate appoint, one member of the board of directors to serve at the pleasure of the governor.

SECTION 946. 44.20 (1) of the statutes is amended to read:

44.20 **(1)** The historical society shall operate and maintain the historic sites known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline Island, Old World Wisconsin, H.H. Bennett Studios and, if the First Capitol state park has been transferred to the historical society under 1993 Wisconsin Act 16, section 9142 (1e), First Capitol.

SECTION 946g. 44.34 (13) of the statutes is created to read:

44.34 **(13)** Produce a CD–ROM about the restoration of the state capitol.

Vetoed In Part

SECTION 946m. 44.49 of the statutes is created to read:

44.49 Heritage trust program. (1) PURPOSE. The legislature determines that the provision of assistance by the state under this section and the awarding of grants to the Wisconsin Trust for Historic Preservation under this section serve a statewide public purpose by assisting in the protection, restoration and rehabilitation of property located in this state that is significant in the history, prehistory, architecture, archaeology or culture of this state, its rural and urban communities or the nation.

(2) DEFINITIONS. In this section:

(a) "Local governmental unit" has the meaning given in s. 16.97 (7).

(b) "Trust" means the Wisconsin Trust for Historic Preservation.

Vetoed In Part

(3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS. (a) From the appropriation under s. 20.866 (2) (zfm), the state historical society shall award grants to state agencies, local governmental units and nonprofit organizations for historic preservation. A grant recipient shall provide matching funds equal to 25% of the amount of the grant, except that the state historical society may require a recipient to provide matching funds equal to a higher percentage.

(b) The state historical society shall ensure that all grant recipients under par. (a) comply with the standards for rehabilitation in 36 CFR 67.7.

(c) The state historical society may award up to $1,000,000 in grants under par. (a) in the 2000–01 fiscal year and up to $1,500,000 in grants under par. (a) in each of the 9 succeeding fiscal years, except that if the state historical society awards less than the maximum amount allowed in any fiscal year the maximum amount allowed in the succeeding fiscal year is increased by an amount equal to the difference between the amount awarded in the current fiscal year and the maximum amount allowed in the current fiscal year.

(4) GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society annually shall award a grant to the trust from the appropriation under s. 20.866 (2) (zfm). In the 2000–01 fiscal year, the amount of the grant shall be $1,000,000. In each of the 9 succeeding fiscal years, the amount of the grant shall be $500,000.

(b) The state historical society may award a grant under par. (a) only if the following conditions are satisfied:

1. The bylaws of the trust state that the purpose of the trust is to develop and support statewide initiatives promoting historic preservation and that, if the trust dissolves, the trust shall in good faith take all reasonable measures to ensure that all moneys paid to the trust under this subsection revert to the state.

2. The trust provides public access to any meeting held for the purpose of deliberations regarding the awarding of grants under par. (c) 1. to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, a governmental body under subch. V of ch. 19.

(c) The moneys received under par. (a) shall constitute an endowment fund. The trust shall use the earnings of the endowment fund for the following purposes:

1. To award grants to state agencies, local governmental units and nonprofit organizations for historic preservation, including historic preservation to commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall provide matching funds equal to 25% of the amount of the grant, except that the trust may

Vetoed In Part

require a recipient to provide matching funds equal to a higher percentage.

2. To temporarily acquire historic property for the purpose of historic preservation.

(d) The trust shall comply, and shall ensure that all grant recipients under par. (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

(e) The trust shall contract with an independent certified public accountant to biennially audit the endowment fund. Within 30 days after the completion of each audit, the trust shall submit a detailed report of the audit to the governor and the joint committee on finance.

(5) SUNSET. The state historical society may not award a grant under this section after June 30, 2010.

SECTION 947. 44.53 (1) (fm) of the statutes is created to read:

44.53 **(1)** (fm) Conduct a program identical to that described in par. (f), but only for American Indian individuals and groups. The program shall be funded from the appropriation under s. 20.215 (1) (km).

SECTION 947m. 44.53 (1) (j) of the statutes is created to read:

44.53 **(1)** (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the High Point fund, the amount appropriated under s. 20.215 (1) (e).

SECTION 948. 44.53 (2) (am) of the statutes is created to read:

44.53 **(2)** (am) Enter into contracts with American Indian individuals, organizations and institutions and American Indian tribal governments for services furthering the development of the arts and humanities.

SECTION 949. 44.70 (2g) of the statutes is created to read:

44.70 **(2g)** "Educational agency" means a school district, private school, cooperative educational service agency, technical college district, private college, public library system, public library board, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf.

SECTION 951. 44.70 (3m) of the statutes is created to read:

44.70 **(3m)** "Public library system" has the meaning given in s. 43.01 (5).

SECTION 952. 44.70 (5) of the statutes is created to read:

44.70 **(5)** "Universal service fund" means the trust fund established under s. 25.95.

SECTION 953. 44.71 (2) of the statutes is renumbered 44.71 (2) (a), and 44.71 (2) (a) 5. and 8., as renumbered, are amended to read:

44.71 **(2)** (a) 5. Subject to s. ~~196.218 (4r) (f)~~ 44.73 (5), in cooperation with the department ~~and the public service commission~~, provide telecommunications access to ~~school districts, private schools, cooperative educational service agencies, technical college districts, private colleges and public library boards~~ educational agencies under the program established under s. ~~196.218 (4r)~~ 44.73.

8. Purchase educational technology equipment for use by school districts, cooperative educational service agencies and public educational institutions in this state and permit the districts, agencies and institutions to purchase or lease the equipment, with an option to purchase the equipment at a later date. This ~~paragraph~~ subdivision does not require the purchase or lease of any educational technology equipment from the board.

Vetoed In Part

SECTION 953g. 44.71 (2) (a) 6m. of the statutes is created to read:

44.71 **(2)** (a) 6m. No later than October 1 of each year, submit a report containing the discount rates provided to the board for telecommunications service under 47 USC 254 to the department of administration, the joint committee on finance and the public service commission.

SECTION 954. 44.71 (2) (bm) of the statutes is created to read:

44.71 **(2)** (bm) The board may contract with the Wisconsin advanced telecommunications foundation to provide administrative services to the foundation.

SECTION 955. 44.72 (1) (a) of the statutes is amended to read:

44.72 **(1)** (a) Award grants to applicants on a competitive basis through one funding cycle annually, except that the board shall ensure that at least one grant is awarded annually to an applicant located in the territory of each cooperative educational service agency.

Vetoed In Part

SECTION 955m. 44.72 (1) (d) of the statutes is created to read:

44.72 **(1)** (d) Promulgate rules establishing administrative procedures, eligibility criteria and application requirements for awarding grants under this section.

SECTION 955p. 44.72 (1) (e) of the statutes is created to read:

44.72 **(1)** (e) Consult with the department of public instruction before awarding grants under this subsection.

SECTION 955t. 44.72 (2) (a) of the statutes is repealed.

SECTION 956. 44.72 (2) (b) 3. of the statutes is repealed.

SECTION 956g. 44.72 (2) (c) of the statutes is amended to read:

44.72 **(2)** (c) A school district is eligible for a grant under par. ~~(a) or~~ (b) 2. only if the annual meeting in a common school district, or the school board in a unified school district or in a school district operating under ch. 119, adopts a resolution requesting the grant. A grant under this subsection may not be used to replace funding available from other sources.

SECTION 956r. 44.72 (2) (d) of the statutes is amended to read:

44.72 **(2)** (d) A school district receiving a grant under par. ~~(a) or~~ (b) shall deposit the moneys in a separate fund. The moneys may be used for any purpose related to edu-

cational technology, except that a school district may not use the moneys to pay the salary or benefits of any school district employe.

SECTION 957. 44.72 (2) (e) of the statutes is amended to read:

44.72 **(2)** (e) The board shall distribute the grants under par. (b) 2. ~~and 3.~~ annually on the first Monday in February.

SECTION 958. 44.72 (4) (title) of the statutes is amended to read:

44.72 **(4)** (title) ~~SUBSIDIZED EDUCATIONAL~~ EDUCATIONAL TECHNOLOGY INFRASTRUCTURE ~~LOANS~~ FINANCIAL ASSISTANCE.

SECTION 959. 44.72 (4) (a) of the statutes is amended to read:

44.72 **(4)** (a) *~~Subsidized loans~~ Financial assistance authorized.* The board may ~~make subsidized loans~~ provide financial assistance under this subsection to school districts from the proceeds of public debt contracted under s. 20.866 (2) (zc) and to public library boards from the proceeds of public debt contracted under s. 20.866 (2) (zcm). ~~Subsidized loans~~ Financial assistance under this subsection may be used only for the purpose of upgrading the electrical wiring of school and library buildings in existence on October 14, 1997, and installing and upgrading computer network wiring.

SECTION 960. 44.72 (4) (b) of the statutes is amended to read:

44.72 **(4)** (b) *~~Subsidized loan~~ Financial assistance applications, terms and conditions.* The board shall establish application procedures for, and the terms and conditions of, ~~subsidized loans~~ financial assistance under this subsection. The board shall make a loan to a school district or public library board in an amount equal to 50% of the total amount of financial assistance for which the board determines the school district or public library board is eligible and provide a grant to the school district or public library board for the remainder of the total. The terms of any financial assistance under this subsection may include provision of professional building construction services under s. 16.85 (15). The board shall determine the interest rate on ~~these~~ loans under this subsection. The interest rate shall be as low as possible but shall be sufficient to fully pay all interest expenses incurred by the state in making the loans and to provide reserves that are reasonably expected to be required in the judgment of the board to ensure against losses arising from delinquency and default in the repayment of ~~subsidized~~ the loans. The term of a ~~subsidized~~ loan under this subsection may not exceed 10 years.

SECTION 961. 44.72 (4) (c) of the statutes is amended to read:

44.72 **(4)** (c) *Repayment of ~~subsidized~~ loans.* ~~A school district's or public library board's total payments on a loan made under this subsection shall be equal to 50% of the total debt service on the loan, as determined by the board. A school district or public library board is not obligated to pay the remaining 50% of the debt service on the loan.~~ The board shall credit all moneys received from school districts ~~under this paragraph~~ for repayment of loans under this subsection to the appropriation account under s. 20.275 (1) (h). The board shall credit all moneys received from public library boards ~~under this paragraph~~ for repayment of loans under this subsection to the appropriation account under s. 20.275 (1) (hb).

SECTION 962. 44.72 (4) (d) of the statutes is amended to read:

44.72 **(4)** (d) *Funding for ~~subsidized loans~~ financial assistance.* The board, with the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm), may request that the building commission contract public debt in accordance with ch. 18 to fund ~~loans~~ financial assistance under this subsection.

SECTION 967. 45.25 (1) of the statutes is amended to read:

45.25 **(1)** ADMINISTRATION. The department of veterans affairs shall administer a tuition and fee reimbursement program for eligible veterans enrolling as undergraduates in any institution ~~within the university of Wisconsin system, enrolling in any technical college under ch. 38~~ of higher education, as defined in s. 45.396 (1) (a), in this state or receiving a waiver of nonresident tuition under s. 39.47.

SECTION 968. 45.25 (2) (d) of the statutes is amended to read:

45.25 **(2)** (d) The individual is a resident at the time of application for the tuition and fee reimbursement program and was a Wisconsin resident at the time of entry or reentry into service or was a resident for any consecutive 5–year period after ~~completing~~ entry or reentry into service ~~on active duty~~ and before the ~~time~~ date of his or her application. If a person applying for a benefit under this section meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she later applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

SECTION 969. 45.25 (2) (e) of the statutes is created to read:

45.25 **(2)** (e) The individual is enrolled for at least 12 credits during the semester for which reimbursement is sought.

SECTION 970. 45.25 (3) (a) of the statutes is amended to read:

45.25 **(3)** (a) Except as provided in par. (am), an individual who meets the requirements under sub. (2), upon satisfactory completion of ~~an~~ a full–time undergraduate semester in any institution ~~within the university of Wisconsin system or a semester at any technical college district school under ch. 38~~ of higher education, as defined

in s. 45.396 (1) (a), in this state or any institution from which the individual receives a waiver of nonresident tuition under s. 39.47, may be reimbursed for up to ~~50%~~ 65% of the individual's tuition and fees~~, but that~~. The reimbursement under this paragraph is limited to a maximum of ~~50%~~ 65% of the standard cost for a state resident for an equivalent undergraduate course at the University of Wisconsin–Madison per course or the difference between the individual's tuition and fees and the grants or scholarships, including those made under s. 21.49, that the individual receives specifically for the payment of the tuition or fees, whichever is less. Reimbursement is available only for tuition and fees that are part of a curriculum that is relevant to a degree in a particular course of study at the institution ~~or school~~.

SECTION 971. 45.25 (3) (am) of the statutes is amended to read:

45.25 **(3)** (am) A disabled individual who meets the requirements under sub. (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon satisfactory completion of an undergraduate semester in any institution ~~within the university of Wisconsin system or a semester at any technical college district school under ch. 38~~ of higher education, as defined in s. 45.396 (1) (a), in this state or any institution from which the individual receives a waiver of nonresident tuition under s. 39.47, may be reimbursed for up to 100% of the individual's tuition and fees~~, but that~~. The reimbursement under this paragraph is limited to 100% of the standard cost for a state resident for an equivalent undergraduate course at the University of Wisconsin–Madison per course, or the difference between the individual's tuition and fees and the grants or scholarships, including those made under s. 21.49, that the individual receives specifically for the payment of the tuition or fees, whichever is less. Reimbursement is available only for tuition and fees that are part of a curriculum that is relevant to a degree in a particular course of study at the institution ~~or school~~.

SECTION 972. 45.25 (4) (a) of the statutes is amended to read:

45.25 **(4)** (a) An individual is not eligible for reimbursement under sub. (2) for more than 120 credits ~~of part–time study~~ or 8 full semesters of full–time study at any institution ~~within the university of Wisconsin system~~ of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits ~~of part–time study~~ or 4 full semesters of full–time study at ~~a technical college under ch. 38~~ any institution of higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an equivalent amount of credits at an institution where he or she is receiving a waiver of nonresident tuition under s. 39.47.

SECTION 973. 45.25 (4) (b) (intro.) of the statutes is amended to read:

45.25 **(4)** (b) (intro.) The department may provide reimbursement under sub. (2) to an individual who is delinquent in child support or maintenance payments or who owes past support, medical expenses or birth expenses, as established by the ~~receipt by the department of a certification under s. 49.855~~ appearance of the individual's name on the statewide support lien docket under s. 49.854 (2) (b), only if the individual provides the department with one of the following:

SECTION 974. 45.25 (4) (b) 2. of the statutes is amended to read:

45.25 **(4)** (b) 2. A statement that the individual is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

SECTION 975. 45.35 (5) (a) 2. c. of the statutes is amended to read:

45.35 **(5)** (a) 2. c. Has been a resident of this state for any consecutive 5–year period after ~~completing~~ entry or reentry into service ~~on active duty~~ and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she later applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

SECTION 976. 45.35 (14) (h) of the statutes is created to read:

45.35 **(14)** (h) To provide grants to the governing bodies of federally recognized American Indian tribes and bands from the appropriation under s. 20.485 (2) (km) if that governing body enters into an agreement with the department regarding the creation, goals and objectives of a tribal veterans' service officer, appoints a veteran to act as a tribal veterans' service officer and gives that veteran duties similar to the duties described in s. 45.43 (5), except that the veteran shall report to the governing body of the tribe or band. The department may make annual grants of up to $2,500 under this paragraph and shall promulgate rules to implement this paragraph.

SECTION 977. 45.35 (15) of the statutes is amended to read:

45.35 **(15)** LIBERAL CONSTRUCTION INTENDED. This section, ss. 45.25, 45.351, 45.356 and 45.37 and subch. II shall be construed as liberally as the language permits in favor of applicants.

SECTION 979. 45.356 (6) (intro.) of the statutes is amended to read:

45.356 **(6)** (intro.) The department may provide a loan under this section ~~after the department receives a certification under s. 49.855 (7) that the applicant is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ to an applicant whose name appears on the statewide sup-

port lien docket under s. 49.854 (2) (b) only if the applicant does one of the following:

SECTION 980. 45.356 (6) (b) of the statutes is amended to read:

45.356 **(6)** (b) Provides to the department a statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

SECTION 981. 45.356 (9) (a) of the statutes is amended to read:

45.356 **(9)** (a) The department may borrow from the veterans mortgage loan repayment fund under s. 45.79 (7) (a) ~~and shall pledge~~ to obtain money to make loans ~~made~~ under this section ~~as collateral for the borrowing~~.

SECTION 982. 45.356 (9) (b) of the statutes is amended to read:

45.356 **(9)** (b) The department may enter into transactions with the state investment board to obtain money to make loans under this section. Transactions authorized under this paragraph may include the sale of loans.

SECTION 982m. 45.358 (2) of the statutes is amended to read:

45.358 **(2)** CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs may construct and operate veterans cemeteries in northwestern and southeastern Wisconsin and may employ such personnel as are necessary for the proper management of the cemeteries. The cemetery in southeastern Wisconsin is the Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department may acquire, by gift, purchase or condemnation, lands necessary for the purposes of the cemeteries. Title to the properties shall be taken in the name of this state. Every deed of conveyance shall be immediately recorded in the office of the proper register of deeds and thereafter filed with the secretary of state. All cemeteries operated by the department are exempt from the requirements of ss. 157.061 to 157.70 and 440.90 to 440.95.

SECTION 983. 45.37 (3) (b) (title) of the statutes is repealed.

SECTION 984. 45.37 (3) (b) of the statutes is renumbered 45.37 (3) and amended to read:

45.37 **(3)** *Nonresident.* A veteran who was not a resident of this state at the time of enlistment or induction into service but who is otherwise qualified for membership may be admitted if the veteran has been a resident of this state for any consecutive 5–year period after ~~completing~~ enlistment or induction into service ~~on active duty~~ and before the date of his or her application. If a person applying for a benefit under this subchapter meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she later applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

SECTION 984m. 45.385 of the statutes is amended to read:

45.385 Veterans residential, treatment and nursing care facilities. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs may construct or renovate and operate residential, treatment and nursing care facilities in southeastern Wisconsin ~~and may~~, including a community–based residential facility, to be known as the Southern Wisconsin Veterans Retirement Center. The department may employ such personnel as are necessary for the proper management of the ~~facilities~~ Southern Wisconsin Veterans Retirement Center. The department may acquire by gift, purchase or condemnation lands necessary for the purposes of the ~~facilities~~ Southern Wisconsin Veterans Retirement Center. Title to any properties acquired under this section shall be taken in the name of this state. Every deed of conveyance shall be immediately recorded in the office of the proper register of deeds and filed with the secretary of state.

SECTION 985. 45.396 (1) (a) of the statutes is amended to read:

45.396 **(1)** (a) "Institution of higher education" ~~means an educational institution meeting the requirements of P.L. 89–329 for institutions covered therein and of P.L. 89–287 for business, trade, technical or vocational schools and full–time post–high school technical colleges~~ has the meaning given in 20 USC 1088 (a).

SECTION 986. 45.396 (5) of the statutes is amended to read:

45.396 **(5)** Except as provided in sub. (9), the reimbursement may not exceed ~~50%~~ 65% of the cost of tuition and fees and shall also be limited to a maximum of ~~50%~~ 65% of the standard cost for a state resident for tuition and fees for an equivalent undergraduate course at the University of Wisconsin–Madison per course and may not be provided to an individual more than 4 times during any consecutive 12–month period.

SECTION 987. 45.396 (6) (intro.) of the statutes is amended to read:

45.396 **(6)** (intro.) The department may make a grant ~~to an applicant~~ under this section ~~after the department receives a certification under s. 49.855 (7) that the applicant is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ to an applicant whose name appears on the statewide support lien docket under s. 49.854 (2) (b) only if the applicant provides the department with one of the following:

SECTION 988. 45.396 (6) (b) of the statutes is amended to read:

45.396 **(6)** (b) A statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

SECTION 989g. 45.397 (4) of the statutes is repealed.

SECTION 990. 45.71 (16) (a) 2m. a. of the statutes is amended to read:

45.71 **(16)** (a) 2m. a. Has been a resident of this state for any consecutive 5–year period after ~~completing~~ enlistment or induction into service ~~on active duty~~ and before the date of his or her application or death. If a person applying for a benefit under this subchapter meets that 5–consecutive–year residency requirement, the department may not require the person to reestablish that he or she meets the 5–consecutive–year residency requirement when he or she applies for any other benefit under this chapter that requires a 5–consecutive–year residency.

SECTION 991. 45.74 (6) (intro.) of the statutes is amended to read:

45.74 **(6)** DELINQUENT SUPPORT PAYMENTS. (intro.) The person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses, as evidenced by ~~a certification under s. 49.855 (7)~~ the appearance of the person's name on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides the department or authorized lender with one of the following:

SECTION 992. 45.74 (6) (b) of the statutes is amended to read:

45.74 **(6)** (b) A statement that the person is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce development or its designee within 7 working days before the date of the application.

SECTION 993. 45.76 (1) (c) of the statutes is amended to read:

45.76 **(1)** (c) *Home improvements.* A loan of not more than ~~$15,000~~ $25,000 to improve a home, including construction of a garage.

SECTION 994. 45.79 (9) (a) of the statutes is amended to read:

45.79 **(9)** (a) All moneys received from any source for repayment of loans, mortgages or mortgage loan notes funded with proceeds of revenue obligations issued under sub. (6) (c) shall be deposited into one or more separate nonlapsible trust funds in the state treasury or with a trustee ~~as provided in s. 18.56 (9) (j)~~ appointed for that purpose by the authorizing resolution for the revenue obligations. The board may pledge revenues received by the funds to secure revenue obligations issued under sub. (6) (c) and shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18. Unrestricted balances in the funds may be used to fund additional loans issued under sub. (6) (c) and pay the balances owing on loans after the assumptions of the loans or the closings of the sales of residences under sub. (10) (c).

SECTION 995. 46.03 (1) of the statutes is amended to read:

46.03 **(1)** INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the Winnebago mental health institutes; the secure mental health facility established under s. 46.055; and the centers for the developmentally disabled.

SECTION 996. 46.03 (7) (g) of the statutes is created to read:

46.03 **(7)** (g) Before July 1, 2005, establish a statewide automated child welfare information system.

SECTION 997. 46.03 (22) (a) of the statutes is amended to read:

46.03 **(22)** (a) "Community living arrangement" means any of the following facilities licensed or operated, or permitted under the authority of the department: child welfare agencies under s. 48.60, group homes for children under s. 48.02 (7) and community–based residential facilities under s. 50.01; but does not include adult family homes, as defined in s. 50.01, day care centers, nursing homes, general hospitals, special hospitals, prisons and jails. ~~"Community living arrangement" also includes a youth village program as described in s. 118.42.~~

SECTION 997m. 46.03 (44) of the statutes is created to read: **Vetoed In Part**

46.03 **(44)** STRAY VOLTAGE RESEARCH. Conduct research and investigate allegations that the 3rd harmonic of 60–hertz current harms people and dairy animals. The department shall allocate moneys transferred to the appropriation account under s. 20.435 (1) (kx) from the appropriation under s. 20.155 (1) (jm) for this purpose.

SECTION 999d. 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.

Vetoed In Part

SECTION 999m. 46.036 (8) of the statutes is created to read:

46.036 **(8)** If the department proposes to consolidate contracts into one single contract to cover care or services under more than one program administered by the subunit of the department that is primarily responsible for administering public health, the department shall submit the proposed contract to the cochairpersons of the joint committee on finance. The proposed contract shall detail the programs for which care or services are being contracted, the allocation of funds for each program and outcome performance incentives and disincentives offered under the contract. If the cochairpersons of the committee do not notify the secretary within 14 working days after receiving the proposed contract that the cochairpersons have scheduled a meeting for the purpose of reviewing the contract, the department may enter into the contract as proposed. If, within 14 working days after receiving the proposed contract, the cochairpersons notify the secretary that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposed contract, the department may not enter into the contract except as approved by the committee.

SECTION 999p. 46.041 (1) (a) of the statutes is amended to read:

46.041 **(1)** (a) Provide for the temporary residence and evaluation of children referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the institutions and services under the jurisdiction of the department, University of Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215, 46.22 or 46.23, private child welfare agencies, ~~schools~~ the Wisconsin School for the ~~deaf and visually handicapped,~~ Deaf, the Wisconsin Center for the Blind and Visually Impaired and mental health facilities within the state at the discretion of the ~~superintendent~~ director of the institution providing services under this section.

SECTION 1000. 46.043 of the statutes is created to read:

46.043 Additional services of mental health institutes. (1) In addition to inpatient and outpatient services provided at mental health institutes under ss. 51.05 and 51.07, the department may authorize mental health institutes to offer services other than inpatient mental health services when the department determines that community services need to be supplemented. Services that may be offered under this section include mental health outpatient treatment and services, day programming, consultation and services in residential facilities, including group homes, child caring institutions and community–based residential facilities.

(2) Services under this section may be provided only under contract between the department and a county department under s. 46. 215, 46.22 or 46.23, a school district or another public or private entity within the state to persons referred from those entities, at the discretion of the department. The department shall charge the referring entity all costs associated with providing the services. Unless a referral is made, the department may not offer services under this section to the person who is to receive the services or his or her family. The department may not impose a charge for services under this section upon the person receiving the services or his or her family. The department shall credit any revenues received under this section to the appropriation account under s. 20.435 (2) (gk).

(3) (a) Except as provided in par. (b), services under this section are governed by all of the following:

1. The terms of the contract between the department and the referring entity.

2. Subchapter XVI of ch. 48 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3), 50.035, 50.04, 50.09, 51.04, 51.42 (7) (b) and 51.61. In applying these statutes, the services shall be considered to be provided by a private entity.

3. Rules promulgated under the statutes specified in subd. 2.

(b) In the event of a conflict between par. (a) 1. and 2. or 3., the services shall comply with the contractual, statutory or rules provision that is most protective of the service recipient's health, safety, welfare or rights.

(c) Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1. and 51.42 (3) (as), other similar provisions in chs. 46 and 51 and zoning or other ordinances or regulations of the county, city, town or village in which the services are provided or the facility is located do not apply to the services under this section.

(d) The department may not be required, by court order or otherwise, to offer services under this section.

(4) Services in a residential facility operated by a mental health institute that are authorized by the department under this section shall be provided only in a facility that is situated on the grounds of a mental health institute. The facility may not be considered to be a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19).

SECTION 1001. 46.055 of the statutes is created to read:

46.055 Secure mental health facility for sexually violent persons. The department shall establish and operate a secure mental health facility for the detention, evaluation and institutional care of persons under ch. 980.

SECTION 1002d. 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From the appropriation account under s. 20.410 (3) (ba), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,273,900 in fiscal year 1999–2000 and $1,379,300 in fiscal year 2000–01 and, from the appropriation account

under s. 20.410 (3) (hm), the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) ~~$3,125,100~~ $2,489,300 in fiscal year ~~1997–98~~ 1999–2000 and ~~$3,236,200~~ $2,489,900 in fiscal year ~~1998–99~~ 2000–01 for services for juveniles placed at the Mendota juvenile treatment center. The department of health and family services may charge the department of corrections not more than the actual cost of providing those services.

SECTION 1002j. 46.058 (2m) of the statutes is created to read:

46.058 **(2m)** The superintendents of the secure mental health facility established under s. 46.055, the Wisconsin resource center established under s. 46.056 and any secure mental health unit or facility provided by the department of corrections under s. 980.065 (2) shall adopt proper means to prevent escapes of persons detained or committed to the facility, center or unit under ch. 980 and may adopt proper means to pursue and capture persons detained or committed to the facility, center or unit under ch. 980 who have escaped. In adopting means under this subsection to prevent escape and pursue and capture persons who have escaped, a superintendent may delegate to designated staff members of the facility, center or unit the power to use necessary and appropriate force, as defined by the department by rule, to prevent escapes and capture escaped persons.

SECTION 1003. 46.10 (2) of the statutes is amended to read:

46.10 **(2)** Except as provided in subs. (2m) and (14) (b) and (c), any person, including but not limited to a person admitted, committed or placed under s. 975.01, 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services and supplies provided by any institution in this state including University of Wisconsin Hospitals and Clinics, in which the state is chargeable with all or part of the person's care, maintenance, services and supplies, any person receiving care and services from a county department established under s. 51.42 or 51.437 or from a facility established under s. 49.73, and any person receiving treatment and services from a public or private agency under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4) (e)~~, 980.06 (2) (c)~~ or 980.08 (5) and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services and supplies in accordance with the fee schedule established by the department under s. 46.03 (18). If a spouse, widow or minor, or an incapacitated person may be lawfully dependent upon the property for their support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for those persons. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt thereof is not a condition of liability.

SECTION 1003c. 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 1003t. 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 1003u. 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 1003v. 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 1003w. 46.20 (8) of the statutes is repealed.

SECTION 1003x. 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 1014p. 46.215 (1g) of the statutes is amended to read:

46.215 **(1g)** ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for and ~~distribute~~, if determined eligible, issue food coupons under s. 49.143 (2) (e) to eligible participants in the Wisconsin works program under subch. III of ch. 49.

SECTION 1017. 46.215 (1m) of the statutes is amended to read:

46.215 **(1m)** EXCHANGE OF INFORMATION. Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of social services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of social services to coordinate the delivery of services to the client.

SECTION 1018. 46.215 (2) (c) 1. of the statutes is amended to read:

46.215 **(2)** (c) 1. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services to be purchased, except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), as appropriate, under s. 46.495.

SECTION 1019. 46.22 (1) (b) 1. j. of the statutes is created to read:

46.22 **(1)** (b) 1. j. If authorized under s. 46.283 (1) (a) 1., to apply to the department of health and family services to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), to operate the resource center.

SECTION 1020. 46.22 (1) (b) 1. k. of the statutes is created to read:

46.22 **(1)** (b) 1. k. If authorized under s. 46.284 (1) (a) 1., to apply to the department of health and family services to operate a care management organization under s.

46.284 and, if the department contracts with the county under s. 46.284 (2), to operate the care management organization and, if appropriate, place funds in a risk reserve.

SECTION 1021. 46.22 (1) (b) 2. a. of the statutes is repealed.

SECTION 1022. 46.22 (1) (b) 2. e. of the statutes is amended to read:

46.22 **(1)** (b) 2. e. To make payments in such manner as the department of workforce development may determine for training of recipients, former recipients and potential recipients of aid in programs established under ss. 49.193, 1997 stats., and 49.26 (1).

SECTION 1022m. 46.22 (1) (c) 2. of the statutes is amended to read:

46.22 **(1)** (c) 2. Subdivision 1. does not authorize the county department of social services to make investigations regarding admission to or release from ~~the Waupun correctional institution, the Columbia correctional institution, the Racine correctional institution, the Racine Youthful Offender Correctional Facility, the correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), the correctional institution authorized under s. 301.046 (1), the correctional institution authorized under s. 301.048 (4) (b), the correctional institution authorized under s. 301.16 (1n), the Oshkosh correctional institution, the Green Bay correctional institution, the Dodge correctional institution, the Taycheedah correctional institution~~ state prisons under s. 302.01, county houses of correction, jails, detention homes or reforestation camps.

SECTION 1023. 46.22 (1) (c) 8. f. of the statutes is created to read:

46.22 **(1)** (c) 8. f. Before July 1, 2005, the county department of social services shall implement the statewide automated child welfare information system established by the department under s. 46.03 (7) (g).

SECTION 1024. 46.22 (1) (dm) of the statutes is amended to read:

46.22 **(1)** (dm) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services acting under this subsection may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of social services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of social services to coordinate the delivery of services to the client.

SECTION 1025. 46.22 (1) (e) 3. a. of the statutes is amended to read:

46.22 **(1)** (e) 3. a. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services, except under subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o) according to s. 46.495.

SECTION 1026p. 46.22 (1g) of the statutes is amended to read:

46.22 **(1g)** ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for and ~~distribute~~, if determined eligible, issue food coupons under s. 49.143 (2) (e) to eligible participants in the Wisconsin works program under subch. III of ch. 49.

SECTION 1029. 46.23 (3) (e) of the statutes is amended to read:

46.23 **(3)** (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of a county department of human services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of human services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of human services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of human services to coordinate the delivery of services to the client.

SECTION 1030. 46.266 (1) (d) of the statutes is created to read:

46.266 **(1)** (d) A person in the facility who has been determined under s. 49.45 (6c) (b) to require active treatment for mental illness.

SECTION 1030d. 46.266 (3) of the statutes is amended to read:

46.266 **(3)** The total number of beds in skilled nursing facilities or intermediate care facilities that are funded at any one time under subs. (1) and (2) may not exceed the number of beds available for the persons specified in sub. (1) (a), minus the number of beds reduced under sub. (8) (a), plus the number of beds added for persons who are specified under sub. (1) (c) and (d). The department may redistribute funds for a vacant bed from one county to another county that is seeking to effect the placement of a person in an institution for mental diseases.

SECTION 1031. 46.27 (1) (bm) of the statutes is amended to read:

46.27 **(1)** (bm) "Private nonprofit agency" means a nonprofit corporation, as defined in s. 181.0103 (17), which provides ~~comprehensive health care services to elderly persons~~ a program of all–inclusive care for persons aged 65 or older authorized under 42 USC 1395 to 1395ggg and which participates in the On Lok replication initiative.

SECTION 1032. 46.27 (2) (k) of the statutes is created to read:

46.27 **(2)** (k) Review and approve or disapprove the terms of risk reserve escrow accounts created under sub. (7) (fr) and approve or disapprove disbursements for administrative or staff costs from the risk reserve escrow accounts.

SECTION 1033g. 46.27 (4) (am) of the statutes is created to read:

46.27 **(4)** (am) If a local long–term care council in a county assumes under s. 46.282 (3) (b) the duties of the county long–term support planning committee under this subsection, the county long–term support planning committee for the county is dissolved.

SECTION 1033h. 46.27 (4) (c) (intro.) of the statutes is amended to read:

46.27 **(4)** (c) (intro.) The planning committee shall develop, or, if a local long–term care council has under s. 46.282 (3) (b) assumed the duties of the planning committee, the local long–term care council shall recommend a community options plan for participation in the program. The plan shall include:

SECTION 1033i. 46.27 (4) (c) 5. of the statutes is amended to read:

46.27 **(4)** (c) 5. A description of the method to be used by the committee or, if a local long–term care council has under s. 46.282 (3) (b) assumed the duties of the planning committee, the local long–term care council to monitor the implementation of the program.

SECTION 1038. 46.27 (4) (c) 8. of the statutes is amended to read:

46.27 **(4)** (c) 8. If a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established in the county, a description of how the activities of the pilot project relate to and are coordinated with the county's proposed program.

SECTION 1039. 46.27 (5) (am) of the statutes is amended to read:

46.27 **(5)** (am) Organize assessment activities specified in sub. (6). The county department or aging unit shall utilize persons for each assessment who can determine the needs of the person being assessed and who know the availability within the county of services alternative to placement in a nursing home. If any hospital patient is referred to a nursing home for admission, these persons shall work with the hospital discharge planner in performing the activities specified in sub. (6). The county department or aging unit shall coordinate the involvement of representatives from the county departments under ss. 46.215, 46.22, 51.42 and 51.437, health service providers and the county commission on aging in the assessment activities specified in sub. (6), as well as the person being assessed and members of the person's family or the person's guardian. This paragraph does not apply to a county department or aging unit in a county where a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established.

SECTION 1040. 46.27 (6) (a) 3. of the statutes is amended to read:

46.27 **(6)** (a) 3. In each participating county, except in counties where a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established, assessments shall be conducted for those persons and in accordance with the procedures described in the county's community options plan. The county may elect to establish assessment priorities for persons in target groups identified by the county in its plan regarding gradual implementation. If a person who is already admitted to a nursing home requests an assessment and if funds allocated for assessments under sub. (7) (am) are available, the county shall conduct the assessment.

SECTION 1041. 46.27 (6g) (intro.) of the statutes is amended to read:

46.27 **(6g)** FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and within the limitations under sub. (7) (b), the fiscal responsibility of a county for an assessment, unless the assessment is performed by an entity under s. ~~46.271 (2m)~~ 46.281 (1) (d), case plan or services provided to a person under this section is as follows:

SECTION 1041m. 46.27 (6r) (f) of the statutes is created to read:

46.27 **(6r)** (f) A person who has attained the age of 18 but has not attained the age of 65 unless that person is engaged in gainful employment or participating in a program that is certified by the department to provide health and employment services that are aimed at helping the individual achieve employment goals. The department may waive this paragraph for any individual for whom its application would cause undue hardship.

SECTION 1042. 46.27 (6u) (c) 2. of the statutes is amended to read:

46.27 **(6u)** (c) 2. For a person who is determined to be financially eligible under subd. 1. calculate, by use of the uniform fee system under s. 46.03 (18), the amount of cost sharing required for receipt of long–term community support services provided under sub. (5) (b). The county department or aging unit shall require payment by the person of 100% of the amount calculated under this subdivision, unless the person is a recipient of medical assistance under s. 49.472. If the person is a recipient of medical assistance under s. 49.472, the county department or aging unit may not require any payment from the person under this subdivision.

SECTION 1043. 46.27 (7) (am) of the statutes is amended to read:

46.27 **(7)** (am) From the appropriation under s. 20.435 (7) (bd), the department shall allocate funds to each county or private nonprofit agency with which the department contracts to pay assessment and case plan costs under sub. (6) not otherwise paid by fee or under s. 49.33 (2) or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46, 49.468 or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long–term community support services and for a risk reserve under par. (fr).

SECTION 1044. 46.27 (7) (b) of the statutes is amended to read:

46.27 **(7)** (b) 1m. From the appropriations under s. 20.435 (7) (bd) and (im), the department shall allocate funds to each county to pay the cost of providing long–term community support services under sub. (5) (b) not otherwise paid under s. 49.45 to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the county department or aging unit administering the program finds likely to become medically indigent within 6 months by spending excess income or assets for medical or remedial care. The average per person reimbursement under this paragraph may not exceed the state share of the average per person payment rate the department expects under s. 49.45 (6m). The county department or aging unit administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long–term community support services. Counties may use unspent funds allocated under this paragraph from the appropriation under s. 20.435 (7) (bd) for a risk reserve under par. (fr).

SECTION 1045. 46.27 (7) (cj) 3. a. of the statutes is amended to read:

46.27 **(7)** (cj) 3. a. An assessment under sub. (6) has been completed for the person prior to the person's admission to the community–based residential facility, ~~whether or not the person is a private pay admittee at the time of admission.~~ except that a person seeking admission or about to be admitted on a private pay basis may waive the assessment, unless the person is expected to become eligible for medical assistance within 6 months of assessment. 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.

Vetoed In Part

SECTION 1045d. 46.27 (7) (ck) 1. of the statutes is amended to read:

Vetoed In Part

46.27 **(7)** (ck) 1. Subject to the approval of the department, and except as provided in sub. (7b) (a), a county may establish and implement more restrictive conditions than those imposed under par. (cj) on the use of funds received under par. (b) for the provision of services to a person in a community–based residential facility. A county that establishes more restrictive conditions under this subdivision shall include the conditions in its community options plan under sub. (3) (cm).

SECTION 1045g. 46.27 (7) (cL) of the statutes is created to read:

46.27 **(7)** (cL) No county department or aging unit may deny services to a person under par. (cj) who refused to have an assessment completed as required under par. (cj) 3. a. before the effective date of this paragraph .... [revisor inserts date].

SECTION 1045k. 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:

46.27 **(7)** (cm) 1. (intro.) ~~Beginning~~ Except as provided sub. (7b), beginning on January 1, 1996, no county, private nonprofit agency or aging unit may use funds received under par. (b) to provide services in any community–based residential facility that has more than 8 beds, unless one of the following applies:

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 <u>for planning and implementation of resource centers under s. 46.283 or care management organizations under s. 46.284 and</u> 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 1048m. 46.27 (7b) of the statutes is created to read:

46.27 **(7b)** PILOT PROGRAM IN CHIPPEWA COUNTY. The department shall establish a pilot project in Chippewa County to effect all of the following:

Vetoed In Part

(a) Notwithstanding the maximum total amount established by Chippewa County under sub. (3) (f), Chippewa County may not deny services under this section to an eligible individual who resides in a community–based residential facility when the individual becomes eligible, solely because the maximum total amount has been reached.

(b) In making a determination under sub. (7) (cj) 3. e. regarding the cost–effectiveness of a placement in a community–based residential facility, Chippewa County shall consider all state and federal funds needed for all options considered.

(c) Chippewa County, or a private nonprofit agency or aging unit in Chippewa County, may use funds received under sub. (7) (b) to provide services in any community–based residential facility that has 20 or fewer beds notwithstanding sub. (7) (cm) 1. Subsection (7) (cm) 1. applies in Chippewa County, however, with respect to the use of funds received under sub. (7) (b) to provide services in any community–based residential facility that has more than 20 beds.

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~~ <u>the amount specified in s. 861.33 (2)</u> 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 <u>the amount specified in s. 861.33 (1) (a) 4</u>.

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 <u>or summary findings and order</u>, 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 <u>or petitioner for summary settlement or summary assignment of the estate</u> shall record the final judgment as provided in s. 863.29<u>, 867.01 (3) (h) or 867.02 (2) (h)</u>.

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 inter-

est 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.~~ except that a person seeking admission or about to be admitted on a private pay basis may waive the assessment, unless the person is expected to become eligible for medical assistance within 6 months of assessment. 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. **Vetoed In Part**

SECTION 1059g. 46.27 (11) (c) 5q. of the statutes is created to read: **Vetoed In Part**

46.27 **(11)** (c) 5q. No county department or aging unit may deny services to a person under subd. 5n. who refused to have an assessment completed as required under subd. 5n. a. before the effective date of this subdivision .... [revisor inserts date].

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.~~ except that a person seeking admission or about to be admitted on a private pay basis may waive the assessment, unless the person is expected to become eligible for medical assistance within 6 months of assessment. 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.

Vetoed In Part

SECTION 1065. 46.278 (6) (d) of the statutes is amended to read:

46.278 **(6)** (d) If a county makes available nonfederal funds equal to the state share of service costs under the waiver received under sub. (3), the department may, from the appropriation under s. 20.435 ~~(5)~~ (4) (o), provide reimbursement for services that the county provides under this section to persons who are in addition to those who may be served under this section with funds from the appropriation under s. 20.435 ~~(5)~~ (4) (b).

SECTION 1066. 46.278 (6) (e) of the statutes is renumbered 46.278 (6) (e) 1. (intro.) and amended to read:

46.278 **(6)** (e) 1. (intro.) The department may provide enhanced reimbursement for services under the program for an individual who was relocated to the community by a county department from ~~an~~ one of the following:

a. An intermediate care facility for the mentally retarded that closes under s. 50.03 (14).

2. a. The enhanced reimbursement rate under ~~this paragraph~~ subd. 1. a. and b. shall be determined under a formula that is developed by the department.

SECTION 1067. 46.278 (6) (e) 1. b. of the statutes is created to read:

46.278 **(6)** (e) 1. b. An intermediate care facility for the mentally retarded or a distinct part thereof that has a plan of closure approved by the department and that intends to close within 12 months.

SECTION 1067b. 46.278 (6) (e) 1. c. of the statutes is created to read:

46.278 **(6)** (e) 1. c. An intermediate care facility for the mentally retarded that has a plan of closure or significant reduction in capacity approved by the department and that intends to close or significantly reduce its capacity within 60 months.

SECTION 1067c. 46.278 (6) (e) 2. b. of the statutes is created to read:

46.278 **(6)** (e) 2. b. The enhanced reimbursement rate under subd. 1. c. shall be 90% of the enhanced reimbursement rate under this subd. 2. a.

SECTION 1068. 46.2805 of the statutes is created to read:

46.2805 Definitions; long–term care. In ss. 46.2805 to 46.2895:

(1) "Care management organization" means an entity that is certified as meeting the requirements for a care management organization under s. 46.284 (3) and that has a contract under s. 46.284 (2). "Care management organization" does not mean an entity that contracts with the department to operate one of the following:

(a) A program of all–inclusive care for persons aged 65 or older authorized under 42 USC 1395 to 1395ggg.

(b) A demonstration program known as the Wisconsin partnership program under a federal waiver authorized under 42 USC 1315.

(2) "Eligible person" means a person who meets all eligibility criteria under s. 46.286 (1) or (1m).

(3) "Enrollee" means a person who is enrolled in a care management organization.

(4). "Family care benefit" means financial assistance for long–term care and support items for an enrollee.

(5) "Family care district" means a special purpose district created under s. 46.2895 (1).

(6) "Family care district board" means the governing board of a family care district.

(7) "Functional and financial screen" means a screen prescribed by the department that is used to determine functional eligibility under s. 46.286 (1) (a) and financial eligibility under s. 46.286 (1) (b).

(7m) "Local long–term care council" means a local long–term care council that is appointed under s. 46.282 (2) (a).

(8) "Nonprofit organization" has the meaning given in s. 108.02 (19).

(9) "Older person" means a person who is aged at least 65.

(10) "Resource center" means an entity that meets the standards for operation under s. 46.283 (3) or, if under contract to provide a portion of the services specified under s. 46.283 (3), meets the standards for operation with respect to those services.

(11) "Tribe or band" means a federally recognized American Indian tribe or band.

SECTION 1069. 46.281 of the statutes is created to read:

46.281 Powers and duties of the department and the secretary; long–term care. (1) DUTIES OF THE DEPARTMENT. The department shall do all of the following:

(a) Provide training to members of the council on long–term care who are aged 65 or older or who have physical or developmental disabilities or their family members, guardians or other advocates, to enable these members to participate in the council's duties.

(b) Provide information to the council on long–term care, including copies of reports submitted to the department by local long–term care councils, and seek recommendations of the council.

(c) Request from the secretary of the federal department of health and human services any waivers of federal medicaid laws necessary to permit the use of federal moneys to provide the family care benefit to recipients of medical assistance. The department shall implement any waiver that is approved and that is consistent with ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the department may implement operation of resource centers, care management organizations and the family care benefit.

(d) Before July 1, 2001:

1. Establish, in geographic areas in which resides no more than 29% of the population that is eligible for the family care benefit, a pilot project under which the department may contract with a county, a family care district, a tribe or band or the Great Lakes inter–tribal council, inc., or with any 2 or more of these entities under a joint application, to operate a resource center.

2. In geographic areas in which resides no more than 29% of the population that is eligible for the family care benefit, contract with counties or tribes or bands under a pilot project to demonstrate the ability of counties or tribes or bands to manage all long–term care programs and administer the family care benefit as care management organizations.

(e) After June 30, 2001, if the local long–term care council for the applicable area has developed the initial plan under s. 46.282 (3) (a) 1., contract with entities specified under par. (d) and, only if specifically authorized by the legislature and if the legislature appropriates necessary funding, contract as so authorized with one or more entities in addition to those specified in par. (d) certified as meeting requirements under s. 46.284 (3) for services of the entity as a care management organization and one or more entities for services specified under s. 46.283 (3) and (4).

(f) Prescribe and implement a per person monthly rate structure for costs of the family care benefit.

(g) In order to maintain continuous quality assurance and quality improvement for resource centers and care management organizations, do all of the following:

1. Prescribe by rule and by contract and enforce performance standards for operation of resource centers and care management organizations.

2. Use performance expectations that are related to outcomes for persons in contracting with care management organizations and resource centers.

3. Conduct ongoing evaluations of the long–term care system specified in ss. 46.2805 to 46.2895.

4. Require that quality assurance and quality improvement efforts be included throughout the long–term care system specified in ss. 46.2805 to 46.2895.

5. Ensure that reviews of the quality of management and service delivery of resource centers and care management organizations are conducted by external organizations and make information about specific review results available to the public.

(h) Require by contract that resource centers and care management organizations establish procedures under which an individual who applies for or receives the family care benefit may register a complaint or grievance and procedures for resolving complaints and grievances.

(i) Prescribe criteria to assign priority equitably on any necessary waiting lists for persons who are eligible for the family care benefit but who do not meet the criteria under s. 46.286 (3).

(2) POWERS OF THE DEPARTMENT. The department may develop risk–sharing arrangements in contracts with care management organizations, in accordance with applicable state laws and federal statutes and regulations.

(3) DUTY OF THE SECRETARY. The secretary shall certify to each county, hospital, nursing home, community–based residential facility, adult family home and residential care apartment complex the date on which a resource center that serves the area of the county, hospital, nursing home, community–based residential facility, adult family home or residential care apartment complex is first available to provide a functional and financial screen. To facilitate phase–in of services of resource centers, the secretary may certify that the resource center is available for specified groups of eligible individuals or for specified facilities in the county.

SECTION 1070. 46.281 (1) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1071. 46.281 (1) (b) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1072. 46.282 of the statutes is created to read:

46.282 Councils on long–term care. (1) COUNCIL ON LONG–TERM CARE. The council on long–term care appointed under s. 15.197 (5) shall do all of the following:

(a) Assist the department in developing broad policy issues related to long–term care services.

(b) Assist the department in developing, implementing, coordinating and guiding long–term care services and systems, including by reviewing and making nonbinding recommendations to the department on all of the following:

1. The department's standard contract provisions for resource centers and care management organizations.

2. The family care benefit, including the per person rate structure for the benefit.

3. The long–term support community options program under s. 46.27.

4. The community integration programs under ss. 46.275, 46.277 and 46.278.

5. Programs other than those under pars (c) and (d) that provide home and community–based services.

6. The provision of medical assistance services under a fee–for–service system.

(c) Monitor patterns of complaints, grievances and appeals related to long–term care in order to identify issues of statewide importance.

(d) Monitor the numbers of persons on waiting lists.

(e) Review patterns of utilization of various types of services by care management organizations.

(f) Monitor the pattern of care management organization enrollments and disenrollments throughout the state.

(g) Report annually to the legislature under s. 13.172 (2) and to the governor on the status, significant achievements and problems of resource centers, care management organizations and the family care benefit, including all of the following:

1. Numbers of persons served.

2. Costs of long–term care provided under the family care benefit.

3. The number and service areas of resource centers and care management organizations.

4. Waiting list information.

5. Results of reviews of quality of services provided by resource centers and care management organizations.

(2) LOCAL LONG–TERM CARE COUNCILS; APPOINTMENT; MEMBERSHIP; TERMS; COMPENSATION AND TRAINING; OFFICERS. (a) *Appointment by a county.* In a county that participates in a pilot project under s. 46.281 (1) (d) and before a county participates in the program under ss. 46.2805 to 46.2895, the following shall be done:

1. The county board of supervisors of the county shall appoint a local long–term care council or the county boards of supervisors of 2 or more contiguous counties shall appoint a local long–term care council, except as follows:

a. In a county with a county executive or a county administrator, the county executive or county administrator shall appoint the local long–term care council, other than as provided in subd. 1. b., subject to confirmation by the county board of supervisors.

b. If the lands of any tribe or band are located in the county or contiguous counties to be served by a local long–term care council, each tribe or band with these lands shall appoint at least one member of the local long–term care council.

2. A county board of supervisors or, in a county with a county executive or a county administrator, the county executive or county administrator shall appoint members of the local long–term care council who are required to be older persons or persons with physical or developmental disabilities or their immediate family members or other representatives from nominations that are submitted to the county board of supervisors or the county executive or county administrator by older persons or persons with physical or developmental disabilities or their immediate family members or other representatives and by local organizations that represent older persons or persons with physical or developmental disabilities.

(am) *Appointment by a tribe or band or council.* If a tribe or band or the Great Lakes inter–tribal council, inc., intends to apply for a contract to operate a resource center or for certification as a care management organization, the tribe or band or the council shall, as a condition of the application or the certification appoint a local long–term care council.

(b) *Membership.* 1. A local long–term care council that serves a single–county area shall consist of 17 members, at least 9 of whom are older persons or persons with physical or developmental disabilities or their immediate family members or other representatives. The age or disability represented by these 9 members shall correspond to the proportion of numbers of persons, as determined by the department, receiving long–term care in this state who are aged 65 or older or have a physical or developmental disability. The total remaining 8 members shall consist of providers of long–term care services, persons residing in the county with recognized ability and demonstrated interest in long–term care and up to 3 members of the county board of supervisors or other elected officials.

2. A local long–term care council that serves an area of 2 or more contiguous counties shall consist of 23 members, at least 12 of whom are older persons or persons with physical or developmental disabilities or their immediate family members or other representatives. The age or disability represented by these 12 members shall correspond to the proportion of numbers of persons, as determined by the department, receiving long–term care in this state who are aged 65 or older or have a physical or developmental disability. The total remaining 11 members shall consist of all of the following:

a. Providers of long–term care services.

b. Persons residing in the county with recognized ability and demonstrated interest in long–term care.

c. Either up to 4 members of the county boards of supervisors or other elected officials or, for a council that serves an area of more than 4 contiguous counties, up to one member of the county board of supervisors of the contiguous counties or up to one other elected official in each contiguous county area.

3. A local long–term care council that is appointed by a tribe or band or by the Great Lakes inter–tribal council, inc., shall consist of 21 members, at least 11 of whom are older persons or persons with physical or developmental disabilities or their family members or other representatives. The age or disability represented by these 11 members shall correspond to the proportion of numbers of per-

sons, as determined by the department, receiving long–term care in this state who are aged 65 or older or have a physical or developmental disability. The total remaining 10 members shall consist of providers of long–term care services, persons residing in the county with recognized ability and demonstrated interest in long–term care and up to 3 members of the governing board of the tribe or band or the Great Lakes inter–tribal council, inc., that appoints the local long–term care council.

4. Vacancies in membership in a local long–term care council shall be filled for the residue of the unexpired term in the manner that the original appointments are made. A local long–term care council member may be removed from office for the following reasons:

a. For cause, by a two–thirds vote of each county board of supervisors or governing body of a tribe or band participating in the appointment, on due notice in writing and hearing of the charges against the member.

b. If the member, when appointed, was a member of the county board of supervisors or was another elected official and was not reelected to that office, on due notice in writing.

(c) *Terms.* The members of the local long–term care council appointed under par. (a) shall serve 3–year terms. No member may serve more than 2 consecutive terms. Of the members first appointed under par. (b) 1., 6 shall be appointed for 3 years; 6 shall be appointed for 4 years; and 5 shall be appointed for 5 years. Of the members first appointed under par. (b) 2., 8 shall be appointed for 3 years; 8 shall be appointed for 4 years; and 7 shall be appointed for 5 years. Of the members appointed under par. (b) 3., one–third shall be appointed for 3 years; one–third shall be appointed for 4 years; and one–third shall be appointed for 5 years.

(d) *Compensation and training.* Members of the local long–term care council who are older persons, persons with physical or developmental disabilities or the family members or other representatives of these persons shall receive compensation from the applicable county for reasonable expenses associated with membership participation. The county board of supervisors or, in the case of a member appointed by the governing body of a tribe or band or by the Great Lakes inter–tribal council, inc., the tribe or band or the Great Lakes inter–tribal council, inc., shall provide training to these members to enable them to participate effectively.

(e) *Officers.* At the first meeting of a local long–term care council, members shall elect from their number a chairperson, a secretary and other officers as necessary. Vacancies in these offices shall be filled for the unexpired terms. The chairperson shall preside at all meetings when present and countersign all actions taken by the local long–term care council. In case of the absence of the chairperson for any meeting, the members present shall choose a temporary chairperson.

(3) LOCAL LONG–TERM CARE COUNCILS; POWERS AND DUTIES. (a) A local long–term care council shall do all of the following within the council's area:

1. Develop the initial plan for the structure of the county, multicounty or tribal resource center and care management organization or organizations, including formulating recommendations to the county board or boards of supervisors and, in a county with a county executive or a county administrator, to the county executive or county administrator, to the governing body of the tribe or band or of the Great Lakes inter–tribal council, inc., if applicable, and to the department on all of the following:

a. Whether or not the county, counties, tribe or band or Great Lakes inter–tribal council, inc., should exercise its right to apply under s. 46.283 (1) for a contract to operate a resource center or to apply under s. 46.284 (1) for a contract to operate a care management organization and how the operation should proceed.

b. Whether the county should create a family care district to operate a resource center or under a care management organization.

c. Whether local organizations other than the county should serve as alternatives or in addition to county–operated entities to operate a resource center or a care management organization and, if so, which organizations should be considered.

d. If applicable, how county–operated functions should interact with a resource center or care management organization that is operated by a tribe or band or by the Great Lakes inter–tribal council, inc.

2. a. In the years 2000 and 2001, under criteria that the department prescribes, after consulting with the council on long–term care, evaluate the performance of the care management organization or organizations in the area of the local long–term care council and determine whether additional care management organizations are needed in the area and, if so, recommend this to the department.

b. In the year 2002 and thereafter, under criteria that the department prescribes, evaluate the performance of the care management organization or organizations in the area of the local long–term care council and determine whether additional care management organizations are needed in the area and, if so recommend this to the department.

3. Advise the department regarding applications for initial certification or certification renewal of care management organizations in the area of the local long–term care council, including providing recommendations for organizations applying for certification or recertification, and assist the department in reviewing and evaluating the applications.

4. Receive information about and monitor complaints from persons served by the care management

organization in the area concerning whether the numbers of providers of long–term care services used by the care management organization are sufficient to ensure convenient and desirable consumer choice and provide recommendations under subd. 3. to the department about this issue.

5. Review initial plans and existing provider networks of any care management organization in the area to assist the care management organization in developing a network of service providers that includes a sufficient number of accessible, convenient and desirable services.

6. Advise care management organizations about whether to offer optional acute and primary health care services and, if so, how these benefits should be offered.

7. Review the utilization of various types of long–term care services by care management organizations in the area.

8. Monitor the pattern of enrollments and disenrollments in local care management organizations.

9. Identify gaps in services, living arrangements and community resources and develop strategies to build local capacity to serve older persons and persons with physical or developmental disabilities, especially those with long–term care needs.

10. Perform long–range planning on policy for older persons and persons with physical or developmental disabilities.

11. Annually review interagency agreements between a resource center and care management organization or organizations and make recommendations, as appropriate, on the interaction between the resource center and the care management organization or organizations to assure coordination between or among them.

12. Annually review the number and types of complaints and grievances about the long–term care system by persons who receive or may receive care under the system, to determine if a need exists for system changes, and recommend system or other changes if appropriate.

13. Identify potential new sources of community resources and funding for needed services for older persons and persons with physical or developmental disabilities.

14. Support long–term care system improvements to improve services to older persons and persons with physical or developmental disabilities and their families.

15. Annually report to the department and, before July 1, 2001, to the long–term care council concerning significant achievements and problems in the local long–term care system.

(b) A local long–term care council may, within the local long–term care council's area, assume the duties of the county long–term community support planning committee as specified under s. 46.27 (4).

SECTION 1073. 46.282 (1) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1074. 46.283 of the statutes is created to read:

46.283 Resource centers. (1) APPLICATION FOR CONTRACT. (a) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., a county board of supervisors and, in a county with a county executive or a county administrator, the county executive or county administrator, may decide all of the following:

1. Whether to authorize one or more county departments under s. 46.21, 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the department for a contract to operate a resource center and, if so, which to authorize and what client group to serve.

2. Whether to create a family care district to apply to the department for a contract to operate a resource center.

(b) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., the governing body of a tribe or band or of the Great Lakes inter–tribal council, inc., may decide whether to authorize a tribal agency to apply to the department for a contract to operate a resource center for tribal members and, if so, which client group to serve.

(c) Under the requirements of par. (a), a county board of supervisors may decide to apply to the department for a contract to operate a multicounty resource center in conjunction with the county board or boards of one or more other counties or a county–tribal resource center in conjunction with the governing body of a tribe or band or the Great Lakes inter–tribal council, inc.

(d) Under the requirements of par. (b), the governing body of a tribe or band may decide to apply to the department for a contract to operate a resource center in conjunction with the governing body or governing bodies of one or more other tribes or bands or the Great Lakes inter–tribal council, inc., or with a county board of supervisors.

(2) EXCLUSIVE CONTRACT. (a) Before July 1, 2001, the department may contract only with a county, a family care district, the governing body of a tribe or band or the Great Lakes inter–tribal council, inc., or with 2 or more of these entities under a joint application, to operate a resource center.

(b) After June 30, 2001, the department shall contract with the entities specified under s. 46.281 (1) (d) 1. and may, in addition to contracting with these entities and subject to approval of necessary funding, contract to operate a resource center with counties, family care districts, the governing body of a tribe or band or the Great Lakes inter–tribal council, inc., or under a joint application of any of these, or with a private nonprofit organization if the department determines that the organization has no significant connection to an entity that operates a care management organization and if any of the following applies:

1. A county board of supervisors declines in writing to apply for a contract to operate a resource center.

2. A county agency or a family care district applies for a contract but fails to meet the standards specified in sub. (3).

(3) STANDARDS FOR OPERATION. The department shall assure that at least all of the following are available to a person who contacts a resource center for service:

(a) Information and referral services and other assistance at hours that are convenient for the public.

(b) A determination of functional eligibility for the family care benefit.

(c) Within the limits of available funding, prevention and intervention services.

(d) Counseling concerning public and private benefits programs.

(e) A determination of financial eligibility and of the maximum amount of cost sharing required for a person who is seeking long–term care services, under standards prescribed by the department.

(f) Assistance to a person who is eligible for the family care benefit with respect to the person's choice of whether or not to enroll in a care management organization and, if so, which available care management organization would best meet his or her needs.

(g) Assistance in enrolling in a care management organization for persons who choose to enroll.

(h) Equitable assignment of priority on any necessary waiting lists, consistent with criteria prescribed by the department, for persons who are eligible for the family care benefit but who do not meet the criteria under s. 46.286 (3).

(i) Assessment of risk for each person who is on a waiting list, as described in par. (h), development with the person of an interim plan of care and assistance to the person in arranging for services.

(j) Transitional services to families whose children with physical or developmental disabilities are preparing to enter the adult service system.

(k) A determination of eligibility for state supplemental payments under s. 49.77, medical assistance under s. 49.46, 49.468 or 49.47 or the federal food stamp program under 7 USC 2011 to 2029.

(4) DUTIES. A resource center shall do all of the following:

(a) Provide services within the entire geographic area prescribed for the resource center by the department.

(b) Submit to the department all reports and data required or requested by the department.

(c) Implement internal quality improvement and quality assurance processes that meet standards prescribed by the department.

(d) Cooperate with any review by an external advocacy organization.

(e) Within 6 months after the family care benefit is available to all eligible persons in the area of the resource center, provide information about the services of the resource center, including the services specified in sub. (3) (d), about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c) and about the family care benefit to all older persons and persons with a physical disability who are residents of nursing homes, community–based residential facilities, adult family homes and residential care apartment complexes in the area of the resource center.

(f) Provide a functional and financial screen to any resident, as specified in par. (e), who requests a screen and assist any resident who is eligible and chooses to enroll in a care management organization to do so.

(g) Provide a functional and financial screen to any person seeking admission to a nursing home, community–based residential facility, residential care apartment complex or adult family home if the secretary has certified that the resource center is available to the person and the facility and the person is determined by the resource center to have a condition that is expected to last at least 90 days that would require care, assistance or supervision. A resource center may not require a financial screen for a person seeking admission or about to be admitted on a private pay basis who waives the requirement for a financial screen under this paragraph, unless the person is expected to become eligible for medical assistance within 6 months. A resource center need not provide a functional screen for a person seeking admission or about to be admitted who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months.

(h) Provide access to services under s. 46.90 and ch. 55 to a person who is eligible for the services, through cooperation with the county agency or agencies that provide the services.

(i) Assure that emergency calls to the resource center are responded to promptly, 24 hours per day.

(5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm) and (pa) and (7) (b), (bd) and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

(6) GOVERNING BOARD. A resource center shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the resource center. At least one–fourth of the members of the governing board shall be older persons or persons with physical or developmental disabilities or their family members, guardians or other advocates.

(7) CONFIDENTIALITY; EXCHANGE OF INFORMATION. No record, as defined in s. 19.32 (2), of a resource center that contains personally identifiable information, as defined in s. 19.62 (5), concerning an individual who receives services from the resource center may be dis-

closed by the resource center without the individual's informed consent, except as follows:

(a) A resource center may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or as necessary for the department to administer the program under ss. 46.2805 to 46.2895.

(b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a resource center acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.284 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of the resource center, if necessary to enable the resource center to perform its duties or to coordinate the delivery of services to the client.

SECTION 1075. 46.284 of the statutes is created to read:

46.284 Care management organizations. (1) APPLICATION FOR CONTRACT. (a) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., a county board of supervisors and, in a county with a county executive or a county administrator, the county executive or county administrator, may decide all of the following:

1. Whether to authorize one or more county departments under s. 46.21, 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the department for a contract to operate a care management organization and, if so, which to authorize and what client group to serve.

2. Whether to create a family care district to apply to the department for a contract to operate a care management organization.

(b) The governing body of a tribe or band or of the Great Lakes inter–tribal council, inc., may decide whether to authorize a tribal agency to apply to the department for a contract to operate a care management organization for tribal members and, if so, which client group to serve.

(c) Under the requirements of par. (a), a county board of supervisors may decide to apply to the department for a contract to operate a multicounty care management organization in conjunction with the county board or boards of one or more other counties or a county–tribal care management organization in conjunction with the governing body of a tribe or band or the Great Lakes inter–tribal council, inc.

(d) Under the requirements of par. (b), the governing body of a tribe or band may decide to apply to the department for a contract to operate a care management organization in conjunction with the governing body or governing bodies of one or more other tribes or bands or the Great Lakes inter–tribal council, inc., or with a county board of supervisors.

(2) CONTRACTS. (a) The department may contract for operation of a care management organization only with an entity that is certified as meeting the requirements under sub. (3). No entity may operate as a care management organization under the requirements of this section unless so certified and under contract with the department.

(b) Within each county, the department shall initially contract to operate a care management organization with the county or a family care district if the county elects to operate a care management organization and the care management organization meets the requirements of sub. (3) and performance standards prescribed by the department. A county that contracts under this paragraph may operate the care management organization for all of the target groups or for a selected group or groups. With respect to contracts exclusively with counties to operate a care management organization, all of the following apply:

1. Before January 1, 2003, the department may not contract with an organization other than the county to operate a care management organization in the county unless any of the following applies:

a. The county and the local long–term care council agree in writing that at least one additional care management organization is necessary or desirable.

b. The governing body of a tribe or band or the Great Lakes inter–tribal council, inc., elects to operate a care management organization within the area and is certified under sub. (3).

2. After December 31, 2002, and before January 1, 2004, the department may not contract with an organization other than the county to operate a care management organization in the county unless any of the following applies:

a. Subdivision 1. a. or b. applies.

b. The county fails to meet requirements of sub. (3) and performance standards prescribed by the department.

c. The county does not have the capacity to serve all county residents who are entitled to the family care benefit in the client group or groups that the county serves and cannot develop the capacity. If this subd. 2. c. applies, the department may contract with an organization in addition to the county.

3. After December 31, 2003, the department may contract with counties, family care districts, the governing body of a tribe or band or the Great Lakes inter–tribal council, inc., or under a joint application of any of these, or with a private organization that has no significant connection to an entity that operates a resource center. Proposals for contracts under this subdivision shall be solicited under a competitive sealed proposal process under s. 16.75 (2m) and, after consulting with the local long–term care council for the county or counties, the department shall evaluate the proposals primarily as to the quality of care that is proposed to be provided, certify those appli-

cants that meet the requirements specified in sub. (3) (a), select certified applicants for contract and contract with the selected applicants.

(3) CERTIFICATION; REQUIREMENTS. (a) If an entity meets the requirements under par. (b) and applicable rules of the department and submits to the department an application for initial certification or certification renewal, the department shall certify that the entity meets the requirements for a care management organization. An application shall include comments about the applicant and recommendations about the application that are provided by the appropriate local long–term care council, as specified under s. 46.282 (3) (a) 3.

(b) To be certified as a care management organization, an applicant shall demonstrate or ensure all of the following:

1. Adequate availability of providers with the expertise and ability to provide services that are responsive to the disabilities or conditions of all of the applicant's proposed enrollees and sufficient representation of programmatic philosophies and cultural orientations to accommodate a variety of enrollee preferences and needs.

2. Adequate availability of providers that can meet the preferences and needs of its proposed service recipients for services at various times, including evenings, weekends and, when applicable, on a 24–hour basis.

3. Adequate availability of providers that are able and willing to perform all of the tasks that are likely to be identified in proposed enrollees' service and care plans.

4. Adequate availability of residential and day services that are geographically accessible to proposed enrollees' homes, families or friends.

5. Adequate supported living arrangements of the types and sizes that meet proposed enrollees' preference and needs.

6. Expertise in determining and meeting the needs of every target population that the applicant proposes to serve and connections to the appropriate service providers.

7. Thorough knowledge of local long–term care and other community resources.

8. The ability to manage and deliver, either directly or through subcontracts or partnerships with other organizations, the full range of benefits to be included in the monthly payment amount.

9. Thorough knowledge of methods for maximizing informal caregivers and community resources and integrating them into a service or care plan.

10. Coverage for a geographic area specified by the department.

11. The ability to develop strong linkages with systems and services that are not directly within the scope of the applicant's responsibility but that are important to the target group that it proposes to serve, including primary and acute health care services.

12. Adequate and competent staffing by qualified personnel to perform all of the functions that the applicant proposes to undertake.

(4) DUTIES. A care management organization shall, in addition to meeting all contract requirements, do all of the following:

(a) Accept requested enrollment of any person who is entitled to the family care benefit and of any person who is eligible for the family care benefit and for whom funding is available. No care management organization may disenroll any enrollee, except under circumstances specified by the department by contract. No care management organization may encourage any enrollee to disenroll in order to obtain long–term care services under the medical assistance fee–for–service system. No involuntary disenrollment is effective unless the department has reviewed and approved it.

(b) Conduct a comprehensive assessment for each enrollee, including an in–person interview with the enrollee, using a standard format developed by the department.

(c) With the enrollee and the enrollee's family or guardian, if appropriate, develop a comprehensive care plan that reflects the enrollee's values and preferences.

(d) Provide or contract for the provision of necessary services and monitor the provided or contracted services.

(e) Provide, within guidelines established by the department, a mechanism by which an enrollee may arrange for, manage and monitor his or her family care benefit directly or with the assistance of another person chosen by the enrollee. The care management organization shall monitor the enrollee's use of a fixed budget for purchase of services or support items from any qualified provider, monitor the health and safety of the enrollee and provide assistance in management of the enrollee's budget and services at a level tailored to the enrollee's need and desire for the assistance.

(f) Provide, on a fee–for–service basis, case management services to persons who are functionally eligible but not financially eligible for the family care benefit.

(g) Meet all performance standards required by the federal government or promulgated by the department by rule.

(h) Submit to the department reports and data required or requested by the department.

(i) Implement internal quality improvement and assurance processes that meet standards prescribed by the department by rule.

(j) Cooperate with external quality assurance reviews.

(k) Meet departmental requirements for protection of solvency.

(L) Annually submit to the department an independent financial audit that meets federal requirements.

(5) FUNDING AND RISK–SHARING. (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and (o) and (7) (b) and (bd), the department shall provide funding on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

(b) If the expenditures by a care management organization under par. (a) exceed payments received from the department under par. (a), as determined by the department by contract, the department may share the loss with the care management organization, within the limits prescribed under the contract with the department.

(c) If the payments received from the department under par. (a) exceed the expenditures by a care management organization under par. (a), as determined by the department by contract, the care management organization may retain a portion of the excess payments, within the limits prescribed under the contract with the department, and shall return the remainder to the department.

(d) The department may, by contract, impose solvency protections that the department determines are reasonable and necessary to retain federal financial participation. These protections may include all of the following:

1. The requirement that a care management organization segregate a risk reserve from other funds of the care management organization or the authorizing body for the care management organization.

2. The requirement that interest accruing to the risk reserve remain in the escrow account for the risk reserve.

3. Limitations on the distribution of funds from the risk reserve.

4. The requirement that a care management organization place funds in a risk reserve and maintain the risk reserve in an interest–bearing escrow account with a financial institution, as defined in s. 69.30 (1) (b), or invest funds as specified in s. 46.2895 (4) (j) 2. or 3. Moneys in the risk reserve or invested as specified in this subdivision may be expended only for the provision of services under this section. If a care management organization ceases participation under this section, the funds in the risk reserve or invested as specified in this subdivision, minus any contribution of moneys other than those specified in par. (c), shall be returned to the department. The department shall expend the moneys for the payment of outstanding debts to providers of family care benefit services and for the continuation of family care benefit services to enrollees.

(e) 1. Subject to subd. 2., a care management organization may enter into contracts with providers of family care benefit services and may limit profits of the providers under the contracts.

2. The department shall review the contracts in subd. 1., including rates for the provision of service, to ensure that the contract terms protect services access by enrollees and financial viability of the care management organization, and may require contract revision.

(6) GOVERNING BOARD. A care management organization shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the care management organization. At least one–fourth of the members of the governing board shall be older persons or persons with physical or developmental disabilities or their family members, guardians or other advocates who are representative of the care management organization's enrollee.

(7) CONFIDENTIALITY; EXCHANGE OF INFORMATION. No record, as defined in s. 19.32 (2), of a care management organization that contains personally identifiable information, as defined in s. 19.62 (5), concerning an individual who receives services from the care management organization may be disclosed by the care management organization without the individual's informed consent, except as follows:

(a) A care management organization may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or as necessary for the department to administer the program under ss. 46.2805 to 46.2895.

(b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a care management organization acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.2895 (10), 51.42 (3) (e) or 51.437 (4r) (b) in the county of the care management organization, if necessary to enable the care management organization to perform its duties or to coordinate the delivery of services to the client.

SECTION 1077. 46.285 of the statutes is created to read:

46.285 Operation of resource center and care management organization. (1) In order to meet federal requirements and assure federal financial participation in funding of the family care benefit, a county, a tribe or band, a family care district or an organization, including a private, nonprofit corporation, may not directly operate both a resource center and a care management organization, except as follows:

(a) For a pilot project established under s. 46.281 (1) (d) 2., provision of the services specified under s. 46.283 (3) (b), (e), (f) and (g) shall be structurally separate from the provision of services of the care management organization by January 1, 2001.

(b) The department may approve separation of the functions of a resource center from those of a care man-

agement organization by a means other than those specified in sub. (2).

(2) Except as provided in sub. (1), all of the following apply to operation of both a resource center and a care management organization:

(a) 1. If a county board of supervisors and, if applicable, a county executive or a county administrator, elect to apply to the department for a contract to operate a resource center, the county board of supervisors may create a family care district to apply to the department for a contract to operate a care management organization.

2. If a county board of supervisors and, if applicable, a county executive or a county administrator, elect to apply to the department for a contract to operate a care management organization, the county board of supervisors may create a family care district to apply to the department to operate a resource center.

(b) 1. If the governing body of a tribe or band elects to apply to the department for a contract directly to operate a resource center, tribal or band members may form a separate corporation to apply to the department for a contract to operate a care management organization. No members of the governing board of the corporation may be members of the tribal or band governing body.

2. If the governing body of a tribe or band elects to apply to the department for a contract directly to operate a care management organization, tribal or band members may form a separate corporation to apply to the department for a contract to operate a resource center. No members of the governing board of the corporation may be members of the tribal or band governing body.

(c) Any county or family care district that seeks to operate jointly with a tribe or band or tribal or band corporation a care management organization or resource center shall submit jointly with the tribe or band or tribal or band corporation an application to the department to operate the care management organization or resource center.

SECTION 1078. 46.286 of the statutes is created to read:

46.286 Family care benefit. (1) ELIGIBILITY. Except as provided in sub. (1m), a person is eligible for, but not necessarily entitled to, the family care benefit if the person is at least 18 years of age; has a physical disability, as defined in s. 15.197 (4) (a) 2., or infirmities of aging, as defined in s. 55.01 (3); and meets all of the following criteria:

(a) *Functional eligibility.* A person is functionally eligible if any of the following applies, as determined by the department or its designee:

1. The person's functional capacity is at either of the following levels:

a. The comprehensive level, if the person has a long–term or irreversible condition, expected to last at least 90 days or result in death within one year of the date of application, and requires ongoing care, assistance or supervision.

b. The intermediate level, if the person has a condition that is expected to last at least 90 days or result in death within 12 months after the date of application, and is at risk of losing his or her independence or functional capacity unless he or she receives assistance from others.

2. The person has a condition that is expected to last at least 90 days or result in death within 12 months after the date of application and, on the date that the family care benefit became available in the person's county of residence, the person was a resident in a nursing home or had been receiving for at least 60 days, under a written plan of care, long–term care services, as specified by the department, which were funded under any of the following:

a. The long–term support community options program under s. 46.27.

b. Home and community–based waiver programs under 42 USC 1396n (c), including community integration program under s. 46.275, 46.277 or 46.278.

c. The Alzheimer's family caregiver support program under s. 46.87.

d. Community aids under s. 46.40, if documented by the county under a method prescribed by the department.

e. County funding, if documented by the county under a method prescribed by the department.

(b) *Financial eligibility.* A person is financially eligible if all of the following apply:

1. As determined by the department or its designee, either of the following applies:

a. The person would qualify for medical assistance except for financial or disability criteria, and the projected cost of the person's care plan, as calculated by the department or its designee, exceeds the person's gross monthly income, plus one–twelfth of his or her countable assets, less deductions and allowances permitted by rule by the department.

b. The person is eligible under ch. 49 for medical assistance.

2. If subd. 1. b. applies, the person accepts medical assistance unless he or she is exempt from the acceptance under rules promulgated by the department.

(1m) ELIGIBILITY EXCEPTION. A person whose primary disabling condition is developmental disability is eligible for the family care benefit if the person is a resident of a county or is a member of a tribe or band that has operated, before July 1, 2001, a care management organization under s. 46.281 (1) (d) and meets all other eligibility criteria under this subsection.

(2) COST SHARING. (a) A person who is determined to be financially eligible under sub. (1) (b) shall contribute to the cost of his or her care an amount that is calculated by the department or its designee after subtracting from the person's gross income, plus one–twelfth of

countable assets, the deductions and allowances permitted by the department by rule.

(b) Funds received under par. (a) shall be used by a care management organization to pay for services under the family care benefit.

(c) A person who is required to contribute to the cost of his or her care but who fails to make the required contributions is ineligible for the family care benefit unless he or she is exempt from the requirement under rules promulgated by the department.

(3) ENTITLEMENT. (a) Subject to pars. (c) and (d), a person is entitled to and may receive the family care benefit through enrollment in a care management organization if he or she meets the requirements of sub. (1) (intro.), is financially eligible, fulfills any applicable cost–sharing requirements and meets any of the following criteria:

1. Is functionally eligible at the comprehensive level.

2. Is functionally eligible at the intermediate level and is eligible under sub. (1) (b) 1. b.

3. Is functionally eligible at the intermediate level and is determined by an agency under s. 46.90 (2) or specified in s. 55.05 (1t) to be in need of protective services under s. 55.05 or protective placement under s. 55.06.

4. Is functionally eligible under sub. (1) (a) 2.

5. Is eligible under sub. (1m).

(b) An entitled individual who is enrolled in a care management organization may not be involuntarily disenrolled except as follows:

1. For cause, subject to the requirements of s. 46.284 (4) (a).

2. If the contract between the care management organization and the department is canceled or not renewed. If this circumstance occurs, the department shall assure that enrollees continue to receive needed services through another care management organization or through the medical assistance fee–for–service system or any of the programs specified under sub. (1) (a) 2. a. to d.

3. The department or its designee determines that the person no longer meets eligibility criteria under sub. (1).

(c) Within each county and for each client group, par. (a) shall first apply on the effective date of a contract under which a care management organization accepts a per person per month payment to provide services under the family care benefit to eligible persons in that client group in the county. Within 24 months after this date, the department shall assure that sufficient capacity exists within one or more care management organizations to provide the family care benefit to all entitled persons in that client group in the county.

(d) The department shall determine the date, which shall not be later than July 1, 2000, on which par. (a) shall first apply to persons who are not eligible for medical assistance under ch. 49.

(4) DIVESTMENT; RULES. The department shall promulgate rules relating to prohibitions on divestment of assets of persons who receive the family care benefit, that are substantially similar to applicable provisions under s. 49.453.

(5) TREATMENT OF TRUST AMOUNTS; RULES. The department shall promulgate rules relating to treatment of trust amounts of persons who receive the family care benefit, that are substantially similar to applicable provisions under s. 49.454.

(6) PROTECTION OF INCOME AND RESOURCES OF COUPLE FOR MAINTENANCE OF COMMUNITY SPOUSE; RULES. The department shall promulgate rules relating to protection of income and resources of couples for the maintenance of the spouse in the community with regard to persons who receive the family care benefit, that are substantially similar to applicable provisions under s. 49.455.

(7) RECOVERY OF FAMILY CARE BENEFIT PAYMENTS; RULES. The department shall promulgate rules relating to the recovery from persons who receive the family care benefit, including by liens and from estates, of correctly and incorrectly paid family care benefits, that are substantially similar to applicable provisions under ss. 49.496 and 49.497.

SECTION 1079. 46.287 of the statutes is created to read:

46.287 Hearings. (1) DEFINITION. In this section, "client" means a person applying for eligibility for the family care benefit, an eligible person or an enrollee.

(2) HEARING. (a) 1. Except as provided in subd. 2., a client may contest any of the following applicable matters by filing, within 45 days of the failure of a resource center or care management organization to act on the contested matter within the time frames specified by rule by the department or within 45 days after receipt of notice of a decision in a contested matter, a written request for a hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1):

a. Denial of eligibility under s. 46.286 (1) or (1m).

b. Determination of cost sharing under s. 46.286 (2).

c. Denial of entitlement under s. 46.286 (3).

d. Failure to provide timely services and support items that are included in the plan of care.

e. Reduction of services or support items under the family care benefit.

f. Development of a plan of care that is unacceptable because the plan of care requires the enrollee to live in a place that is unacceptable to the enrollee or the plan of care provides care, treatment or support items that are insufficient to meet the enrollee's needs, are unnecessarily restrictive or are unwanted by the enrollee.

g. Termination of the family care benefit.

h. Imposition of ineligibility for the family care benefit under s. 46.286 (4).

i. Denial of eligibility or reduction of the amounts of the family care benefit under s. 46.286 (5).

j. Determinations similar to those specified under s. 49.455 (8) (a), made under s. 46.286 (6).

k. Recovery of family care benefit payments under s. 46.286 (7).

2. An applicant for or recipient of medical assistance is not entitled to a hearing concerning the identical dispute or matter under both this section and 42 CFR 431.200 to 431.246.

(b) An enrollee may contest a decision, omission or action of a care management organization other than those specified in par. (a), or may contest the choice of service provider. In these instances, the enrollee shall first send a written request for review by the unit of the department that monitors care management organization contracts. This unit shall review and attempt to resolve the dispute. If the dispute is not resolved to the satisfaction of the enrollee, he or she may request a hearing under the procedures specified in par. (a) 1. (intro.).

(c) Information regarding the availability of advocacy services and notice of adverse actions taken and appeal rights shall be provided to a client by the resource center or care management organization in a form and manner that is prescribed by the department by rule.

SECTION 1080. 46.288 of the statutes is created to read:

46.288 Rule–making. The department shall promulgate as rules all of the following:

(1) Standards for performance by resource centers and for certification of care management organizations, including requirements for maintaining quality assurance and quality improvement.

(2) Criteria and procedures for determining functional eligibility under s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), cost sharing under s. 46.286 (2) (a) and entitlement under s. 46.286 (3). The rules for determining functional eligibility under s. 46.286 (1) (a) 1. a. shall be substantially similar to eligibility criteria for receipt of the long–term support community options program under s. 46.27. Rules under this subsection shall include definitions of the following terms applicable to s. 46.286:

(a) "Primary disabling condition".

(b) "Mental illness".

(c) "Substance abuse".

(d) "Long–term or irreversible".

(e) "Requires ongoing care, assistance or supervision".

(f) "Condition that is expected to last at least 90 days or result in death within one year".

(g) "At risk of losing independence or functional capacity".

(h) "Gross monthly income".

(i) "Deductions and allowances".

(j) "Countable assets".

(3) Procedures and standards for procedures for s. 46.287 (2), including time frames for action by a resource center or a care management organization on a contested matter.

SECTION 1081. 46.289 of the statutes is created to read:

46.289 Transition. In order to facilitate the transition to the long–term care system specified in ss. 46.2805 to 46.2895, within the limits of applicable federal statutes and regulations and if the secretary of health and family services finds it necessary, he or she may grant a county limited waivers to or exemptions from ss. 46.27 (3) (e) (intro.), 1. and 2. and (f), (5) (d) and (e), (6) (a) 1., 2. and 3. and (b) (intro.), 1. and 2., (6r) (c), (7) (b), (cj) and (cm) and (11) (c) 5m. (intro.) and 6. and 46.277 (3) (a), (4) (a) and (5) (d) 1m., 1n. and 2. and rules promulgated under those provisions.

SECTION 1082. 46.2895 of the statutes is created to read:

46.2895 Family care district. (1) CREATION. (a) After considering recommendations of the local long–term care council under s. 46.282 (3) (a) 1., a county board of supervisors may create a special purpose district that is termed a "family care district", that is a local unit of government, that is separate and distinct from, and independent of, the state and the county, and that has the powers and duties specified in this section, if the county board does all of the following:

1. Adopts an enabling resolution that does all of the following:

a. Declares the need for establishing the family care district.

b. Specifies the family care district's primary purpose, which shall be to operate, under contract with the department, either a resource center under s. 46.283 or a care management organization under s. 46.284, but not both.

2. Files copies of the enabling resolution with the secretary of administration, the secretary of health and family services and the secretary of revenue.

(b) The county boards of supervisors of 2 or more counties may together create a family care district with the attributes specified in par. (a) (intro.) on a multicounty basis within the counties if the county boards of supervisors comply with the requirements of par. (a) 1. and 2.

(2) JURISDICTION. A family care district's jurisdiction is the geographical area of the county or counties of the county board or boards of supervisors who created the family care district.

(3) FAMILY CARE DISTRICT BOARD. (a) 1. The county board of supervisors of a county or, in a county with a county administrator or county executive, the county administrator or county executive shall appoint the members of the family care district board, which is the governing board of a family care district under sub. (1) (a).

2. The county boards of supervisors of 2 or more counties shall appoint the members of the family care district board, which is the governing board of the family care district under sub. (1) (b). Each county board shall appoint members in the same proportion that the county's population represents to the total population of all of the counties that constitute the jurisdiction of the family care district.

(b) 1. The family care district board appointed under par. (a) 1. shall consist of 15 persons who are residents of the area of jurisdiction of the family care district. At least one–fourth of the members shall be representative of the client group or groups whom it is the family care district's primary purpose to serve or those clients' family members, guardians or other advocates.

2. The family care district board appointed under par. (a) 2. shall consist of an odd number of members that is at least 15 but not more than 21 persons, all of whom are residents of the area of jurisdiction of the family care district. At least one–fourth of the members shall be representative of the client group or groups whom it is the family care district's primary purpose to serve or those clients' family members, guardians or other advocates.

3. Membership of the family care district board under subd. 1. or 2. shall reflect the ethnic and economic diversity of the area of jurisdiction of the family care district. Up to one–fourth of the members of the board may be elected or appointed officials or employes of the county or counties that created the family care district. No member of the board may have a private financial interest in or profit directly or indirectly from any contract or other business of the family care district.

(c) The members of the family care district board appointed under par. (a) shall serve 3–year terms. No member may serve more than 2 consecutive terms. Of the members first appointed, 5 shall be appointed for 3 years; 5 shall be appointed for 4 years; and 5 or, in the case of a board appointed under par. (b) 2., the remainder, shall be appointed for 5 years. A member shall serve until his or her successor is appointed, unless removed for cause under s. 17.13.

(d) As soon as possible after the appointment of the initial members of the family care district board, the board shall organize for the transaction of business and elect a chairperson and other necessary officers. Each chairperson shall be elected by the board from time to time for the term of that chairperson's office as a member of the board or for the term of 3 years, whichever is shorter, and shall be eligible for reelection. A majority of the board shall constitute a quorum. The board may act based on the affirmative vote of a majority of a quorum.

(4) POWERS. Subject to sub. (1) (a) 1. b., a family care district has all the powers necessary or convenient to carry out the purposes and provisions of ss. 46.2805 to 46.2895. In addition to all these powers, a family care district may do all of the following:

(a) Adopt and alter, at pleasure, an official seal.

(b) Adopt bylaws and policies and procedures for the regulation of its affairs and the conduct of its business. The bylaws, policies and procedures shall be consistent with ss. 46.2085 to 46.2895 and, if the family care district contracts with the department under par. (d), with the terms of that contract.

(c) Sue and be sued.

(d) Negotiate and enter into leases or contracts, including a contract with the department to operate either a resource center or a portion of its functions under s. 46.283 or a care management organization under s. 46.284, but not both a resource center or its functions and a care management organization.

(e) Provide services related to services available under the family care benefit, to older persons and persons with disabilities, in addition to the services funded under the contract with the department that is specified under par. (d).

(f) Acquire, construct, equip, maintain, improve or manage a resource center under s. 46.283 or a care management organization under s. 46.284, but not both.

(g) Subject to sub. (8), employ any agent, employe or special adviser that the family care district finds necessary, fix and regulate his or her compensation and provide, either directly or subject to an agreement under s. 66.30 as a participant in a benefit plan of another governmental entity, any employe benefits, including an employe pension plan.

(h) Mortgage, pledge or otherwise encumber the family care district's property or funds.

(i) Buy, sell or lease property, including real estate, and maintain or dispose of the property.

(j) Invest any funds not required for immediate disbursement in any of the following:

1. An interest–bearing escrow account with a financial institution, as defined in s. 69.30 (1) (b).

2. Time deposits in any financial institution, as defined in s. 69.30 (1) (b), if the time deposits mature in not more than 2 years.

3. Bonds or securities issued or guaranteed as to principal and interest by the federal government or by a commission, board or other instrumentality of the federal government.

(k) Create a risk reserve or other special reserve as the family care district board desires or as the department requires under the contract with the department that is specified under par. (d).

(L) Accept aid, including loans, to accomplish the purpose of the family care district from any local, state or federal governmental agency or accept gifts, loans, grants or bequests from individuals or entities, if the con-

ditions under which the aid, loan, gift, grant or bequest is furnished are not in conflict with this section.

(m) Make and execute other instruments necessary or convenient to exercise the powers of the family care district.

(5) LIMITATION ON POWERS. A family care district may not issue bonds or levy a tax or assessment.

(6) DUTIES. The family care district board shall do all of the following:

(a) Appoint a director, who shall hold office at the pleasure of the board.

(b) Subject to sub. (8), develop and implement a personnel structure and other employment policies for employes of the family care district.

(c) Assure compliance with the terms of any contract with the department under sub. (4) (d).

(d) Establish a fiscal operating year and annually adopt a budget for the family care district.

(e) Contract for any legal services required for the family care district.

(f) Subject to sub. (8), procure liability insurance covering its officers, employes and agents, insurance against any loss in connection with its property and other assets and other necessary insurance; establish and administer a plan of self–insurance; or, subject to an agreement under s. 66.30, participate in a governmental plan of insurance or self–insurance.

(7) DIRECTOR; DUTIES. The director appointed under sub. (6) (a) shall do all of the following:

(a) Manage the property and business of the family care district and manage the employes of the district, subject to the general control of the family care district board.

(b) Comply with the bylaws and direct enforcement of all policies and procedures adopted by the family care district board.

(c) Perform duties in addition to those specified in pars. (a) and (b) as are prescribed by the family care district board.

(8) EMPLOYMENT AND EMPLOYE BENEFITS OF CERTAIN EMPLOYES. (a) A family care district board shall do all of the following:

1. If the family care district offers employment to any individual who was previously employed by the county, who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district and whose wages, hours and conditions of employment were established in a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date that the individual commences employment with the district, with respect to that individual, abide by the terms of the collective bargaining agreement concerning the individual's compensation and benefits until the time of the expiration of that collective bargaining agreement or adoption of a collective bargaining agreement with the district under subch. IV of ch. 111 covering the individual as an employe of the district, whichever occurs first.

2. If the family care district offers employment to any individual who was previously employed by the county and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district, but whose wages, hours and conditions of employment were not established in a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date the individual commences employment with the district, with respect to that individual, initially provide that individual the same compensation and benefits that he or she received while employed by the county.

3. If the family care district offers employment to any individual who was previously employed by the county and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district, with respect to that individual, recognize all years of service with the county for any benefit provided or program operated by the district for which an employe's years of service may affect the provision of the benefit or the operation of the program.

4. If the county has not established its own retirement system for county employes, adopt a resolution that the family care district be included within the provisions of the Wisconsin retirement system under s. 40.21 (1). In this resolution, the family care district shall agree to recognize 100% of the prior creditable service of its employes earned by the employes while employed by the district.

(b) The county board of supervisors of the area of jurisdiction of the family care district shall do all of the following:

1. If the county has established its own retirement system for county employes, provide that family care district employes are eligible to participate in the county retirement system.

2. Provide that, subject to the terms of any applicable collective bargaining agreement as provided in par. (a) 1., family care district employes are eligible to receive health care coverage under any county health insurance plan that is offered to county employes.

3. Provide that, subject to the terms of any applicable collective bargaining agreement as provided in par. (a) 1., family care district employes are eligible to participate in any deferred compensation or other benefit plan offered by the county to county employes, including disability and long–term care insurance coverage and income continuation insurance coverage.

(9) CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2), of a family care district that contains personally identifiable information, as defined in s.

19.62 (5), concerning an individual who receives services from the family care district may be disclosed by the family care district without the individual's informed consent, except as required to comply with s. 16.009 (2) (p) or 49.45 (4).

(10) EXCHANGE OF INFORMATION. Notwithstanding sub. (9) and ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a family care district acting under this section may exchange confidential information about a client, as defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or 51.437 (4r) (b) in the jurisdiction of the family care district, if necessary to enable the family care district to perform its duties or to coordinate the delivery of services to the client.

(11) OBLIGATIONS AND DEBTS NOT THOSE OF COUNTY. The obligations and debts of the family care district are not the obligations or debts of the county that created the family care district.

(12) ASSISTANCE TO FAMILY CARE DISTRICT. From moneys in the county treasury that are not appropriated to some other purpose, the county board of supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) may appropriate moneys to the family care district as a gift or may lend moneys to the family care district.

(13) DISSOLUTION. Subject to the performance of the contractual obligations of a family care district and if first approved by the secretary of the department, the family care district may be dissolved by the joint action of the family care district board and county board of supervisors under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) that created the family care district. If the family care district is dissolved, the property of the district shall be transferred to the county board of supervisors that created the family care district except as follows:

(a) If the family care district was created under sub. (1) (b), the county boards of supervisors shall agree on the apportioning of the family care district's property before the district may be dissolved.

(b) If the family care district operates a care management organization under s. 46.284, disposition of any remaining funds in the risk reserve under s. 46.284 (5) (e) shall be made under the terms of the district's contract with the department.

SECTION 1083. 46.29 (1) (intro.) of the statutes is amended to read:

46.29 **(1)** (intro.) From the appropriation under s. 20.435 (6) ~~(d)~~ (a), the department shall allocate up to $10,000 in each fiscal year for operation of the council on physical disabilities. The council on physical disabilities shall do all of the following:

SECTION 1084. 46.40 (1) (a) of the statutes is amended to read:

46.40 **(1)** (a) Within the limits of available federal funds and of the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute funds for community social, mental health, developmental disabilities and alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2), (2m) and (7) to ~~(8)~~ (9).

SECTION 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~~ $284,978,800 for fiscal year ~~1997-98~~ 1999–2000 and ~~$284,948,500~~ $285,511,800 for fiscal year ~~1998–99~~ 2000–01.

SECTION 1087. 46.40 (2m) (a) of the statutes is amended to read:

46.40 **(2m)** (a) *Prevention and treatment of substance abuse.* For prevention and treatment of substance abuse under 42 USC 300x–21 to 300x–35, the department shall distribute not more than ~~$10,493,900 in fiscal year 1997–98 and not more than $10,224,100 in fiscal year 1998–99~~ $11,318,700 in each fiscal year.

SECTION 1088. 46.40 (8) of the statutes is amended to read:

46.40 **(8)** ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. ~~For~~ Subject to sub. (9), for services to persons with Alzheimer's disease and their caregivers under s. 46.87, the department shall distribute not more than ~~$1,877,000 for each fiscal year~~ $1,993,400 for fiscal year 1999–2000 and $2,226,300 for fiscal year 2000–01.

SECTION 1089. 46.40 (9) of the statutes is created to read:

46.40 **(9)** TRANSFER OR ADJUSTMENT OF COMMUNITY AIDS ALLOCATIONS. (a) *Transfer to family care program and adult protective services allocation.* If a care management organization under s. 46.285 is available in a county, the department may dispose of the amount allocated under sub. (8) to that county and not more than 21.3% of the amount allocated under sub. (2) to that county as follows:

1. By transferring a portion of those amounts, as determined by the department, to the family care program to fund the services of resource centers under s. 46.283 (5) and the services of care management organizations under s. 46.284 (4).

2. By transferring a portion of those amounts, as determined by the department, to the county's adult protective services allocation under par. (b).

(b) *Adult protective services allocation.* For adult protective services, the department shall distribute the amounts transferred under par. (a) 2. in each fiscal year.

(c) *Adjustment for medical assistance by–in program.* If a former recipient of services funded under the allocation under sub. (2) is a participant in the medical assistance buy–in program under s. 49.472, the department may decrease that allocation by the amount that the department estimates it will incur in providing services to that participant under s. 49.472.

SECTION 1091d. 46.45 (2) (a) of the statutes is amended to read:

46.45 **(2)** (a) If on December 31 of any year there remains unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 that are making a good faith effort, as determined by the department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the moneys distributed to the county under this subsection for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services. If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the department may recover any amounts distributed to that county under this paragraph after June 30, 2001, by billing the county or deducting from that county's allocation under s. 46.40 (2).

Vetoed In Part

SECTION 1091k. 46.46 (1) of the statutes is amended to read:

46.46 **(1)** The department shall perform activities to augment the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v. The department shall perform those income augmentation activities itself and may not contract with any person to perform those income augmentation activities. From the appropriation account under s. 20.435 (8) (mb), the department shall support costs that are exclusively related to the operational costs of ~~augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v~~ performing those income augmentation activities. In addition, the department may expend moneys from the appropriation account under s. 20.435 (8) (mb) as provided in sub. (2).

SECTION 1091m. 46.46 (2) of the statutes is amended to read:

46.46 **(2)** If the department proposes to use any moneys from the appropriation account under s. 20.435 (8) (mb) for any purpose other than the purpose specified in sub. (1), the department shall submit a plan for the proposed use of those moneys to the secretary of administration by September 1 of the fiscal year after the fiscal year in which those moneys were received. If the secretary of administration approves the plan, he or she shall submit the plan to the joint committee on finance by October 1 of the fiscal year after the fiscal year in which those moneys were received. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan. If within 14 working days after the date of the submittal by the secretary of administration the cochairpersons of the committee notify him or her that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan only with the approval of the committee.

SECTION 1092d. 46.47 of the statutes is repealed.

SECTION 1093. 46.48 (3) of the statutes is renumbered 46.481 (1).

SECTION 1094. 46.48 (6) of the statutes is amended to read:

46.48 **(6)** CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute ~~$110,000~~ $80,000 in each fiscal year to the career youth development center in the city of Milwaukee~~. Of these amounts, $80,000 shall be distributed in each fiscal year~~ for the operation of a minority youth substance abuse treatment program ~~and $30,000 shall be distributed in each fiscal year for drug prevention programs for high school athletes in the Milwaukee public school system~~.

SECTION 1095. 46.48 (9) of the statutes is renumbered 46.481 (2).

SECTION 1096. 46.48 (27) of the statutes is renumbered 46.481 (3) and amended to read:

46.481 **(3)** GRANTS TO RUNAWAY PROGRAMS. The department shall distribute ~~$100,000~~ $50,000 in each fiscal year as grants to programs that provide services for ~~runaways~~ runaway children.

SECTION 1097. 46.48 (28) of the statutes is renumbered 46.481 (4).

SECTION 1098. 46.48 (29) of the statutes is amended to read:

46.48 **(29)** ARC COMMUNITY SERVICES, INC. The department shall distribute ~~$87,500 in fiscal year 1997–98 and~~ $175,000 in each fiscal year ~~1998–99~~ to ARC Community Services, Inc., for a program to provide substance abuse day treatment services for pregnant and postpartum women and their infants.

SECTION 1098m. 46.48 (30) of the statutes is created to read:

46.48 **(30)** SUBSTANCE ABUSE TREATMENT GRANTS. (a) From the appropriation under s. 20.435 (7) (bc), the department shall distribute grants on a competitive basis to county departments of social services and to private nonprofit organizations, as defined in s. 103.21 (2), for

the provision of alcohol and other drug abuse treatment services in counties with a population of 500,000 or more. Grants distributed under this subsection may be used only to provide treatment for alcohol and other drug abuse to individuals who are eligible for federal temporary assistance for needy families under 42 USC 601 et. seq. and who have a family income of not more than 200% of the poverty line, as defined in s. 49.001 (5).

(b) Notwithstanding par. (a), the department may distribute grants under par. (a) only to the extent that the distribution meets the maintenance–of–effort requirement under the federal temporary assistance for needy families program under 42 USC 601 et. seq.

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:

Vetoed In Part

SECTION 1099g. 46.481 (5) of the statutes is created to read:

46.481 **(5)** HEALTHY FAMILIES PROGRAM. The department shall distribute $100,000 in each fiscal year to Kenosha Area Family and Aging Services, Inc., for the provision of home visiting services for mothers who are under 18 years of age under that organization's healthy families program.

SECTION 1099m. 46.481 (6) of the statutes is created to read:

46.481 **(6)** CHILDREN'S SAFE HOUSE CHILD CARE PROGRAM. The department shall distribute $50,000 in each fiscal year to the children's safe house child care program in Kenosha County for the operation of that program.

SECTION 1100. 46.485 (2g) (intro.) of the statutes is amended to read:

46.485 **(2g)** (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (b), the department may in each fiscal year transfer funds to the appropriation under s. 20.435 (7) (kb) for distribution under this section and from the appropriation under s. 20.435 (7) (mb) the department may not distribute more than $1,330,500 in each fiscal year to applying counties in this state that meet all of the following requirements, as determined by the department:

SECTION 1101. 46.485 (3r) of the statutes is amended to read:

46.485 **(3r)** Funds that a county does not encumber before 24 months after June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse to the appropriation under s. 20.435 ~~(5)~~ (4) (b).

SECTION 1103. 46.495 (1) (d) of the statutes is amended to read:

46.495 **(1)** (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute the funding for social services, including funding for foster care or treatment foster care of a child on whose behalf aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2) ~~and~~, (8) and (9) (b). Each county's required match for the distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the county's distributions under s. 46.40 (2) and (8) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency–related services from its distribution for 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1104g. 46.513 of the statutes is created to read:

46.513 Services for children and families. From the appropriation under s. 20.435 (3) (bm), the department shall distribute grants to counties in each fiscal year to fund services for children and families. The department shall determine the amount of a county's grant under this section based on the county's proportion of the state's population as last estimated by the department of administration under s. 16.96. The department of health and family services shall distribute the grants under this section in the calendar year after the calendar year in which the amount available for those grants is certified by the department of revenue under s. 77.63 (2).

SECTION 1105. 46.70 (2) of the statutes is amended to read:

46.70 **(2)** From the appropriations under s. 20.435 (7) ~~(dL)~~ (kL) and (o), the department may make available to any of the 11 federally recognized tribal governing bodies in this state funds for the purposes stated in sub. (1). Beginning July 1, 1991, and ending September 30, 1991, the department may award to each tribal governing body up to $6,800. Beginning October 1, 1991, and ending September 30, 1992, the department may award to each tribal governing body up to $27,200. Beginning October 1, 1992, and ending June 30, 1993, the department may award to each tribal governing body up to $20,400. Receipt of funds is contingent upon department approval of an application submitted by a tribal governing body. The department may partially approve any application and provide only part of the funds requested. Each application shall contain a

plan for expenditure of funds, consistent with the purposes stated in sub. (1).

SECTION 1106. 46.71 (1) (intro.) of the statutes is amended to read:

46.71 **(1)** (intro.) From the appropriation under s. 20.435 (7) ~~(dm)~~ (km), the department shall, for the development of new drug abuse prevention, treatment and education programs that are culturally specific with respect to American Indians or to supplement like existing programs, allocate a total of not more than $500,000 in each fiscal year to all the elected governing bodies of federally recognized American Indian tribes or bands that submit to the department plans, approved by the department, that do all of the following:

SECTION 1107. 46.71 (2) of the statutes is amended to read:

46.71 **(2)** The amount of funds allocated by the department under sub. (1) may not exceed the amounts appropriated under s. 20.435 (7) ~~(dm)~~ (km).

SECTION 1108. 46.715 of the statutes is repealed.

SECTION 1109. 46.76 (3) of the statutes is repealed.

SECTION 1110. 46.765 of the statutes is repealed.

SECTION 1111. 46.81 (2) of the statutes is amended to read:

46.81 **(2)** From the appropriation under s. 20.435 (7) ~~(dj)~~ (dh), the department shall allocate $2,298,400 in each fiscal year to aging units to provide benefit specialist services for older individuals. The department shall ensure that each aging unit receives funds and shall take into account the proportion of the state's population of low–income older individuals who reside in a county.

SECTION 1112. 46.81 (5) of the statutes is amended to read:

46.81 **(5)** From the appropriation under s. 20.435 (7) ~~(dj)~~ (dh) the department shall allocate $182,500 in each fiscal year to area agencies on aging. Each area agency on aging shall use the funds for training, supervision and legal back–up services for benefit specialists within its area.

SECTION 1113. 46.82 (3) (a) 19. of the statutes is created to read:

46.82 **(3)** (a) 19. If an aging unit under sub. (1) (a) 1. or 2. and if authorized under s. 46.283 (1) (a) 1., apply to the department to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate the resource center.

SECTION 1114. 46.82 (3) (a) 20. of the statutes is created to read:

46.82 **(3)** (a) 20. If an aging unit under sub. (1) (a) 1. or 2. and if authorized under s. 46.284 (1) (a) 1., apply to the department to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), operate the care management organization and, if appropriate, place funds in a risk reserve.

SECTION 1115. 46.856 of the statutes is renumbered 46.856 (2), and 46.856 (2) (intro.), as renumbered, is amended to read:

46.856 **(2)** (intro.) From the appropriation under s. 20.435 (7) (bg), the department shall award a grant to at least one public agency or private nonprofit organization~~, as defined in s. 108.02 (19),~~ to do all of the following:

SECTION 1116. 46.856 (1) of the statutes is created to read:

46.856 **(1)** In this section:

(a) "Private nonprofit organization" has the meaning given in s. 108.02 (19).

(b) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.

SECTION 1117. 46.86 (1) of the statutes is amended to read:

46.86 **(1)** From the appropriation ~~under s. 20.435 (7) (cp) and (md), the department may award funds and from the appropriation~~ under s. 20.435 (7) (md) the department may award not more than $125,500 in each fiscal year as grants to counties and private nonprofit entities for treatment for pregnant women and mothers with alcohol and other drug abuse treatment needs; mothers who have alcohol and other drug abuse treatment needs and dependent children up to the age of 5 years; and the dependent children up to the age of 5 years of those mothers. The grants shall be awarded in accordance with the department's request–for–proposal procedures. The grants shall be used to establish community–based programs, residential family–centered treatment programs or home–based treatment programs. The program under a grant must include alcohol and other drug abuse treatment services, parent education, support services for the children of the women who are enrolled in the program, vocational assistance and housing assistance. Any program funded under this subsection must also provide follow–up aftercare services to each woman and her children for at least 2 years after the date on which a woman has left the program.

SECTION 1118. 46.86 (5) of the statutes is amended to read:

46.86 **(5)** From the appropriation under s. 20.435 (7) (md), the department may not distribute more than ~~$35,000~~ $235,000 in each fiscal year as a grant to ~~the~~ ARC ~~community services center~~ Community Services, Inc., for women and children in Dane ~~county, to address a projected operation deficit of the center;~~ County, to provide ~~additional~~ funding for staff of the center and transportation and meal expenses for chemically dependent women who receive services from the center~~; and to provide additional funding for staff of the center~~.

SECTION 1119. 46.86 (6) of the statutes is created to read:

46.86 **(6)** (a) From the appropriation under s. 20.435 (7) (md), the department may award not more than $1,167,900 in each fiscal year as grants to counties and private entities to provide community–based alcohol and other drug abuse treatment programs that do all of the following:

1. Meet special needs of women with problems resulting from alcohol or other drug abuse.

2. Emphasize parent education, vocational and housing assistance and coordination with other community programs and with treatment under intensive care.

(b) The department shall do all of the following with respect to the grants under par. (a):

1. Award the grants in accordance with the department's request–for–proposal procedures.

2. Ensure that the grants are distributed in both urban and rural communities.

3. Evaluate the programs under the grants by use of client–outcome measurements that the department develops.

SECTION 1120. 46.93 (2) (intro.) of the statutes is amended to read:

46.93 **(2)** PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434 (1) ~~(b)~~ (ky), the board shall award not more than $439,300 in each ~~of~~ fiscal ~~years 1997–98 and 1998–99~~ year for grants to organizations to provide adolescent pregnancy prevention programs or pregnancy services that include health care, education, counseling and vocational training. Types of services and programs that are eligible for grants include all of the following:

SECTION 1120c. 46.95 (2) (a) of the statutes is amended to read:

46.95 **(2)** (a) The secretary shall make grants from the appropriations under s. 20.435 (3) (cd) ~~and~~, (hh) and (km) to organizations for the provision of any of the services specified in sub. (1) (d). Grants may be made to organizations which have provided those domestic abuse services in the past or to organizations which propose to provide those services in the future. No grant may be made to fund services for child or unborn child abuse or abuse of elderly persons.

SECTION 1120g. 46.95 (2) (f) (intro.) of the statutes is amended to read:

46.95 **(2)** (f) (intro.) From the appropriations under s. 20.435 (3) (cd) ~~and~~, (hh) and (km), the department shall do all of the following:

SECTION 1120m. 46.95 (2) (f) 7. of the statutes is created to read:

46.95 **(2)** (f) 7. Award a grant of $25,000 in each fiscal year to each of 30 organizations to enhance support services. Funding may be used for such purposes as case management; children's programming; assisting victims of domestic abuse to find employment; and training in and activities promoting self–sufficiency.

SECTION 1120n. 46.95 (2) (f) 8. of the statutes is created to read:

46.95 **(2)** (f) 8. Award $200,000 in grants in each fiscal year to organizations for domestic abuse services for individuals who are members of underserved populations, including racial minority group members and individuals with mental illness or developmental disabilities. A grant to an organization may not exceed $60,000.

SECTION 1120p. 46.95 (2) (f) 9. of the statutes is created to read:

46.95 **(2)** (f) 9. Award a grant of $25,000 in fiscal year 1999–2000 and a grant of $50,000 in each fiscal year thereafter to the Wisconsin Coalition Against Domestic Violence for the cost of a staff person to provide assistance in obtaining legal services to domestic abuse victims.

SECTION 1120r. 46.95 (2) (g) of the statutes is created to read:

46.95 **(2)** (g) Grants made and moneys expended under this subsection from the appropriation under s. 20.435 (3) (km) may be used only for the benefit of individuals whose family incomes do not exceed 250% of the poverty line, as defined in s. 49.001 (5).

SECTION 1121g. 46.986 of the statutes is created to read:

46.986 Respite care program. (1) DEFINITIONS. In this section:

(a) "Abuse" means the wilful infliction on a person of physical pain or injury or unreasonable confinement.

(b) "Caregiver" means an individual who lives in the home of a person with special needs and provides care or supervision for that person.

(c) "County department" means a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437.

(d) "Neglect" means an act, omission or course of conduct that, because of the failure to provide adequate food, shelter, clothing, medical care or dental care, creates a significant danger to the physical and mental health of a person.

(e) "Provider" means an individual or agency that a caregiver selects, with input to the selection by the person with special needs, if competent, to provide respite care to the person with special needs.

(f) "Respite care" means care that is provided to a person with special needs, or a person at risk of abuse or neglect, in order to provide temporary relief to the caregiver of that person or when the caregiver is unable to provide care.

(g) "Special need" means a person's need resulting from an emotional, behavioral, cognitive, physical or personal condition that necessitates receipt of care or supervision in order to meet the person's basic needs or to prevent harm from occurring to him or her.

(h) "Tribe or band" means the governing body of a federally recognized American Indian tribe or band in this state.

(2) PROGRAM. (a) From the appropriation account under s. 20.435 (7) (br), the department shall contract for the administration of life–span respite care projects with an organization to which all of the following apply:

1. The organization is a private, nonprofit organization, as defined in s. 108.02 (19), that is capable of operating on a statewide basis and has expertise in respite care issues.

2. At least 51% of the members of the organization's governing board are consumers of respite care or caregivers.

3. The membership of the organization's governing board includes providers and elected officials and represents the diverse geographical areas and cultural groups of the state.

(b) The organization with which the department contracts under par. (a) shall do all of the following:

1. After consulting with the department, county departments, tribes or bands, providers and caregivers, prescribe criteria for the distribution of grants to conduct life–span respite care projects. The criteria shall include the requirement that grant funds be equally distributed among 5 administrative regions of the state, as prescribed by the department.

2. Solicit applications from and, using the criteria under subd. 1., award in the 1999–2001 state fiscal biennium up to one grant in each of the 5 administrative regions prescribed by the department to any of the following to conduct a life–span respite care project:

a. A county department.

b. A tribe or band.

c. A community–based private, nonprofit entity.

d. A community–based private entity that is operated for profit.

3. Require that the grantee contribute matching funds to the operation of the life–span respite care project in the following amounts:

a. Ten percent of the amount of the grant awarded by the organization, as direct services, which shall be used by the grantee to fund payments from caregivers to providers.

b. Fifteen percent of the amount of the grant awarded by the organization, as in–kind services.

4. Oversee grants awarded under subd. 2., and monitor, provide technical assistance to and evaluate the life–span respite care projects.

5. Develop best practice guidelines and a training curriculum that may be used by life–span respite care projects that are funded under this section and that may be used, if appropriate, by any other respite care providers in the state.

6. Promote the exchange of information and coordination among the state, local governments, life–span respite care projects, entities serving persons with special needs, families of persons with special needs and persons in favor of the promotion of respite care services, to encourage the efficient provision of respite care services.

7. Act as a statewide clearinghouse of information about respite care and existing respite care programs and resources and operate a library of materials that may be lent to persons or organizations upon request.

8. Conduct analyses of respite care policies and proposals, and identify and promote resolution of respite care policy concerns at legislative, state and local levels.

(3) GRANTS NOT TO SUPPLANT OTHER MONEYS. Moneys awarded as grants under sub. (2) (b) may not be used to supplant moneys otherwise available and, prior to receipt of the grant, dedicated by the grantee to respite care.

(4) LIFE–SPAN RESPITE CARE PROJECT REQUIREMENTS. Life–span respite care projects for which a grant is awarded under sub. (2) (b) 2. shall do all of the following:

(a) Operate in a culturally competent manner and be sensitive to the unique needs and strengths of a person with special needs and his or her family or caregiver.

(b) Identify, coordinate and develop resources for respite care that are built, to the extent possible, on existing community support services.

(c) Recruit and screen providers.

(d) Identify training resources and organize training programs for providers that address different populations in need of respite care.

(e) Facilitate access by caregivers and families of persons with special needs to an array of respite care service options for which the person with special needs is eligible, that are responsive to caregiver and family needs and that are available before families and primary caregivers reach a crisis situation.

(f) Assist caregivers and families of persons with special needs to identify and coordinate funds and resources available for respite care for which the person with special needs is eligible, and authorize and provide a variety of funds and resources to make available additional respite care services for persons with special needs, under eligibility criteria established by the project.

(5) ADVISORY COMMITTEES. Each grantee of moneys to conduct a life–span respite care project under sub. (2) shall create an advisory committee that shall advise the project on how the project may best serve persons with special needs and their caregivers. Consumers of respite care services and caregivers shall comprise at least 51% of the advisory committee membership and shall be representative of the diversity of persons who receive services under the project. Other members shall include providers, representatives of local service agencies and members of the community.

(6) By June 1, 2004, the department and the organization with which the department contracts under sub. (2) (a) shall together evaluate the life–span respite care

projects that are conducted under this section. If, following the evaluation, the department and the organization together determine that it is feasible to integrate the life–span respite care projects with any integrated, organized system of long–term care services that is operated by the department, the department shall, by July 1, 2004, provide to the department of administration statutory language that is proposed for inclusion in the 2005–07 biennial budget bill to effect the integration.

SECTION 1122. 46.99 of the statutes is created to read:

46.99 Brighter futures initiative. (1) DEFINITIONS. In this section:

(a) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.

(b) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.

(2) AWARDING OF GRANTS. (a) From the appropriations under s. 20.435 (3) (eg), (km) and (nL), the department, beginning on January 1, 2001, shall distribute $2,125,200 in each fiscal year to applying nonprofit corporations and public agencies operating in a county having a population of 500,000 or more and $1,229,300 in each fiscal year to applying county departments under s. 46.22, 46.23, 51.42 or 51.437 operating in counties other than a county having a population of 500,000 or more to provide programs to accomplish all of the following:

1. Prevent and reduce the incidence of youth violence and other delinquent behavior.

2. Prevent and reduce the incidence of youth alcohol and other drug use and abuse.

3. Prevent and reduce the incidence of child abuse and neglect.

4. Prevent and reduce the incidence of nonmarital pregnancy and increase the use of abstinence as a method of preventing nonmarital pregnancy.

5. Increase adolescent self–sufficiency by encouraging high school graduation, vocational preparedness, improved social and other interpersonal skills and responsible decision making.

(b) A nonprofit corporation or public agency that is applying for a grant under par. (a) shall provide to the department a proposed service plan for the use of the grant moneys. If the department approves the service plan, the department may award the grant. The department shall award the grants on a competitive basis and for a 3–year period.

(3) OUTCOMES EXPECTED. (a) The department shall provide a set of benchmark indicators to measure the outcomes that are expected of a program funded under sub. (2) (a). Those benchmark indicators shall measure all of the following among youth who have participated in a program funded under sub. (2) (a):

1. The rate of participation in violent or other delinquent behavior.

2. The rate of alcohol and other drug use and abuse.

3. The rate of nonmarital pregnancy and the rate at which abstinence is used to prevent nonmarital pregnancy.

4. The rate of substantiated cases of child abuse and neglect.

5. The development of self–sufficiency, as indicated by the rate of high school graduation, the degree of vocational preparedness, any improvements in social and other interpersonal skills and in responsible decision making and any other indicators that the department considers important in indicating the development of adolescent self–sufficiency.

6. Any other indicators that the department considers important in indicating the development of positive behaviors among adolescents.

(b) The department shall require a grant recipient under sub. (2) (a) to provide an annual report showing the status of its program participants in terms of the benchmark indicators provided under par. (a) and may renew a grant only if the recipient shows improvement on those indicators.

SECTION 1123d. 46.995 (title) of the statutes is repealed and recreated to read:

46.995 (title) **Tribal adolescent services.**

SECTION 1123e. 46.995 (1) (title) of the statutes is renumbered 46.995 (3) (title) and amended to read:

46.995 **(3)** (title) ~~DEFINITION~~ ADOLESCENT PREGNANCY PREVENTION SERVICES.

SECTION 1123f. 46.995 (1) (intro.) of the statutes is renumbered 46.995 (3) (a) (intro.) and amended to read:

46.995 **(3)** (a) (intro.) In this ~~section~~ subsection, "high–risk adolescent" means a person who is at least 13 years of age but under the age of 20 and who is at risk of becoming an unmarried parent as an adolescent and of incurring long–term economic dependency on public funds and is characterized by one or more of the following:

SECTION 1123g. 46.995 (1) (a) of the statutes is renumbered 46.995 (3) (a) 1.

SECTION 1123h. 46.995 (1) (b) of the statutes is renumbered 46.995 (3) (a) 2.

SECTION 1123i. 46.995 (1) (c) of the statutes is renumbered 46.995 (3) (a) 3.

SECTION 1123j. 46.995 (1) (d) of the statutes is renumbered 46.995 (3) (a) 4.

SECTION 1123k. 46.995 (1) (e) of the statutes is renumbered 46.995 (3) (a) 5.

SECTION 1123L. 46.995 (1) (f) of the statutes is renumbered 46.995 (3) (a) 6.

SECTION 1123p. 46.995 (1m) of the statutes is created to read:

46.995 **(1m)** TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation account under s. 20.435 (3) (km), the department may allocate $172,500 in each fiscal year and, from the appropriation account under s. 20.435 (3) (eg), the department may allocate $7,500 in

each fiscal year to provide the grants specified in subs. (2), (3) (b) and (4m) (b).

SECTION 1124. 46.995 (2) (intro.) of the statutes is amended to read:

46.995 **(2)** ADOLESCENT SELF–SUFFICIENCY SERVICES. (intro.) From the appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate $582,100 in each fiscal year to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide services in counties or to a tribe or band for adolescent parents which shall emphasize high school graduation and vocational preparation, training and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. The public or private entity seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on all of the following factors:

SECTION 1124g. 46.995 (2) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 46.995 (2) and amended to read:

46.995 **(2)** ADOLESCENT SELF–SUFFICIENCY SERVICES. From the ~~appropriation account under s. 20.435 (3) (ky), the department may allocate $582,100 in each fiscal year to~~ allocations under sub. (1m), the department may provide a grant annually ~~to a public or private entity or~~ in the amount of $85,000 to the elected governing body of a federally recognized American Indian tribe or band to provide services ~~in counties or to a tribe or band~~ for adolescent parents which shall emphasize high school graduation and vocational preparation, training and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. The ~~public or private entity~~ tribe or band seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department. ~~Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on all of the following factors:~~

SECTION 1124h. 46.995 (2) (a) of the statutes is repealed.

SECTION 1124i. 46.995 (2) (b) of the statutes is repealed.

SECTION 1124j. 46.995 (2) (c) of the statutes is repealed.

SECTION 1124k. 46.995 (2) (d) of the statutes is repealed.

SECTION 1125. 46.995 (3) of the statutes is amended to read:

46.995 **(3)** ADOLESCENT PREGNANCY PREVENTION SERVICES. From the appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate $340,000 in each fiscal year to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide to high–risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision–making and communications skills, promote graduation from high school and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on the factors specified under sub. (2) (a) to (d).

SECTION 1125g. 46.995 (3) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 46.995 (3) (b) and amended to read:

46.995 **(3)** (b) From the ~~appropriation account under s. 20.435 (3) (ky), the department may allocate $340,000 in each fiscal year to~~ allocations under sub. (1m), the department may provide a grant annually ~~to a public or private entity or~~ in the amount of $65,000 to the elected governing body of a federally recognized American Indian tribe or band to provide to high–risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision–making and communications skills, promote graduation from high school and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention. ~~Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on the factors specified under sub. (2) (a) to (d).~~

SECTION 1125r. 46.995 (4) of the statutes is repealed.

SECTION 1126. 46.996 of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1127. 46.996 (intro.) of the statutes is amended to read:

46.996 Adolescent services. (intro.) From the appropriation account under s. 20.435 (3) (eg), the department shall ~~allocate funds in~~ distribute $62,500 and from the appropriation account under s. 20.435 (3) (ky), the department shall distribute $287,500, for the following ~~amounts~~:

SECTION 1128d. 46.997 (title) of the statutes is renumbered 46.995 (4m) (title).

SECTION 1128g. 46.997 (1) (intro.) of the statutes is renumbered 46.995 (4m) (a) (intro.) and amended to read:

46.995 **(4m)** (a) (intro.) In this ~~section~~ subsection:

SECTION 1128i. 46.997 (1) (a) of the statutes is renumbered 46.995 (4m) (a) 1.

SECTION 1128k. 46.997 (1) (b) of the statutes is renumbered 46.995 (4m) (a) 2.

SECTION 1128m. 46.997 (1) (c) of the statutes is repealed.

SECTION 1128p. 46.997 (1) (d) of the statutes is repealed.

SECTION 1128r. 46.997 (1) (e) of the statutes is repealed.

SECTION 1128t. 46.997 (1) (f) of the statutes is repealed.

SECTION 1129. 46.997 (2) (intro.) of the statutes is amended to read:

46.997 **(2)** (intro.) From the appropriation account under s. 20.435 (3) (eg), the department shall ~~allocate not more than $210,000~~ distribute $52,500 and from the appropriation account under s. 20.435 (3) (ky), the department shall distribute $157,500 in each fiscal year to make grants to applying organizations for the provision, on a regional or tribal project basis, of information to communities in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

SECTION 1129g. 46.997 (2) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is renumbered 46.995 (4m) (b) (intro.) and amended to read:

46.995 **(4m)** (b) (intro.) From the ~~appropriation account under s. 20.435 (3) (eg), the department shall distribute $52,500 and from the appropriation account under s. 20.435 (3) (ky), the department shall distribute $157,500 in each fiscal year to make grants to applying organizations~~ allocations under sub. (1m), the department may provide a grant annually in the amount of $30,000 to the elected governing body of a federally recognized American Indian tribe or band for the provision~~, on a regional or tribal project basis,~~ of information to ~~communities~~ members of the tribe or band in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

SECTION 1129h. 46.997 (2) (a) of the statutes is renumbered 46.995 (4m) (b) 1.

SECTION 1129i. 46.997 (2) (b) of the statutes is renumbered 46.995 (4m) (b) 2.

SECTION 1129j. 46.997 (2) (c) of the statutes is renumbered 46.995 (4m) (b) 3.

SECTION 1129k. 46.997 (2) (d) of the statutes is renumbered 46.995 (4m) (b) 4.

SECTION 1129m. 46.997 (3) of the statutes is renumbered 46.995 (4m) (c) and amended to read:

46.995 **(4m)** (c) Each ~~funded regional project under sub. (2) shall provide services in one of 6 regional areas of the state, and each~~ funded tribal project under ~~sub. (2)~~ par. (b) shall provide services in areas of the state as approved by the Indian tribe or band and the department. The department shall determine the boundaries of the regional areas prior to soliciting project grant applications.

SECTION 1129p. 46.997 (4) of the statutes is renumbered 46.995 (4m) (d) and amended to read:

46.995 **(4m)** (d) Prior to making grants to applying ~~organizations under sub. (2)~~ tribes or bands under par. (b), the department shall consider whether and how the applying ~~organization~~ tribe or band proposes to coordinate its services with other public or private resources, programs or activities in the region and the state.

SECTION 1129r. 46.997 (5) of the statutes is renumbered 46.995 (4m) (e) and amended to read:

46.995 **(4m)** (e) The department shall work closely with the women's council and the department of public instruction, on a continuing basis, concerning the scope and direction of activities under projects funded by the program under ~~sub. (2)~~ par. (b).

SECTION 1130. 48.02 (6) of the statutes is amended to read:

48.02 **(6)** "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 children ~~unless all of the children are siblings~~ or, if necessary to enable a sibling group to remain together, for no more than 6 children or, if the department promulgates rules permitting a different number of children, for the number of children permitted under those rules.

SECTION 1130d. 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 1130m. 48.20 (8) of the statutes is amended to read: **Vetoed In Part**

48.20 **(8)** If a child is held in custody, the intake worker shall notify the child's parent, guardian and legal custodian of the reasons for holding the child in custody and of the child's whereabouts unless there is reason to believe that notice would present imminent danger to the child. The parent, guardian and legal custodian shall also be notified of the time and place of the detention hearing required under s. 48.21, the nature and possible consequences of that hearing, the right to counsel under s. 48.23 regardless of ability to pay and the right to present and cross–examine witnesses at the hearing. If the parent, guardian or legal custodian is not immediately available, the intake worker or another person designated by the court shall provide notice as soon as possible. When the child is 12 years of age or older, the child shall receive the same notice about the detention hearing as the parent, guardian or legal custodian. The intake worker shall

Vetoed In Part

notify both the child and the child's parent, guardian or legal custodian. When the child is an expectant mother who has been taken into custody under s. 48.19 (1) (cm) or (d) 8., the unborn child, through the unborn child's guardian ad litem, shall receive the same notice about the whereabouts of the child expectant mother, about the reasons for holding the child expectant mother in custody and about the detention hearing as the child expectant mother and her parent, guardian or legal custodian. The intake worker shall notify the child expectant mother, her parent, guardian or legal custodian and the unborn child, by the unborn child's guardian ad litem.

SECTION 1130n. 48.207 (1) (a) of the statutes is amended to read:

48.207 **(1)** (a) The home of a parent or guardian, except that a child may not be held in the home of a parent or guardian if the parent or guardian has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the child. The person making the custody decision shall consider the wishes of the child in making that determination.

SECTION 1130no. 48.207 (1) (b) of the statutes is amended to read:

48.207 **(1)** (b) The home of a relative, except that a child may not be held in the home of a relative if the relative has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the child. The person making the custody decision shall consider the wishes of the child in making that determination.

Vetoed In Part

SECTION 1130p. 48.21 (3) (d) of the statutes is amended to read:

48.21 **(3)** (d) Prior to the commencement of the hearing, the parent, guardian or legal custodian shall be informed by the court of the allegations that have been made or may be made, the nature and possible consequences of this hearing as compared to possible future hearings, the right to counsel under s. 48.23 regardless of ability to pay, the right to confront and cross–examine witnesses and the right to present witnesses.

SECTION 1130r. 48.23 (2) of the statutes is renumbered 48.23 (2) (a) and amended to read:

48.23 **(2)** (a) Whenever a child is alleged to be in need of protection or services under s. 48.13 or is the subject of a proceeding involving a contested adoption or the involuntary termination of parental rights, any parent under 18 years of age who appears before the court shall be represented by counsel; but no such parent may waive counsel. A minor parent petitioning for the voluntary termination of parental rights shall be represented by a guardian ad litem. If a proceeding involves a contested adoption or the involuntary termination of parental rights, any parent 18 years old or older who appears before the court shall be represented by counsel; but the parent may waive counsel provided the court is satisfied such waiver is knowingly and voluntarily made.

Vetoed In Part

SECTION 1130t. 48.23 (2) (b) of the statutes is created to read:

48.23 **(2)** (b) If a petition under s. 48.13 is contested, no child may be placed outside his or her home unless the nonpetitioning parent is represented by counsel at the fact–finding hearing and subsequent proceedings. If the petition is not contested, the child may not be placed outside his or her home unless the nonpetitioning parent is represented by counsel at the hearing at which the placement is made. A parent who is required under this paragraph to be represented by counsel may, however, waive counsel if the court is satisfied that such waiver is knowingly and voluntarily made, and the court may place the child outside the home even though the parent was not represented by counsel.

SECTION 1130v. 48.23 (3) of the statutes is amended to read:

48.23 **(3)** POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings under s. 48.13, at~~ At any time, upon request or on its own motion, the court may appoint counsel for the child or any party, unless the child or the party has or wishes to retain counsel of his or her own choosing. ~~The court may not appoint counsel for any party other than the child in a proceeding under s. 48.13.~~

SECTION 1130x. 48.23 (4) of the statutes is amended to read:

48.23 **(4)** PROVIDING COUNSEL. In any situation under this section in which a ~~person~~ child has a right to be represented by counsel or is provided counsel at the discretion of the court and counsel is not knowingly and voluntarily waived, the court shall refer the ~~person~~ child to the state public defender and counsel shall be appointed by the state public defender under s. 977.08 without a determination of indigency. If the referral is of a ~~person~~ child who has filed a petition under s. 48.375 (7), the state public defender shall appoint counsel within 24 hours after that referral. Any counsel appointed in a petition filed under s. 48.375 (7) shall continue to represent the child in any appeal brought under s. 809.105 unless the child requests substitution of counsel or extenuating circumstances make it impossible for counsel to continue to represent the child. In any situation under sub. (2) or (2m) in which a parent 18 years of age or over or an adult expectant mother is entitled to representation by counsel; counsel is not knowingly and voluntarily waived; and it appears that the parent or adult expectant mother is unable to afford counsel in full, or the parent or adult

expectant mother so indicates; the court shall refer the parent or adult expectant mother to the authority for indigency determinations specified under s. 977.07 (1). In any other situation under this section in which a person has a right to be represented by counsel or is provided counsel at the discretion of the court, competent and independent counsel shall be provided and reimbursed in any manner suitable to the court regardless of the person's ability to pay, except that the court may not order a person who files a petition under s. 813.122 or 813.125 to reimburse counsel for the child who is named as the respondent in that petition.

Vetoed In Part

SECTION 1131g. 48.235 (8) (c) 1. of the statutes is amended to read:

48.235 **(8)** (c) 1. In an uncontested termination of parental rights and adoption proceeding under s. 48.833 (1), the court shall order the agency that placed the child for adoption to pay the compensation of the child's guardian ad litem.

Vetoed In Part

SECTION 1131gm. 48.27 (4) (a) 2. of the statutes is amended to read:

48.27 **(4)** (a) 2. Advise the child and any other party, if applicable, of his or her right to legal counsel regardless of ability to pay.

Vetoed In Part

SECTION 1131gt. 48.32 (2) (a) of the statutes is amended to read:

48.32 **(2)** (a) A consent decree shall remain in effect up to ~~6 months~~ one year unless the child, parent, guardian, legal custodian or expectant mother is discharged sooner by the judge or juvenile court commissioner.

SECTION 1131h. 48.345 (3) (a) of the statutes is amended to read:

48.345 **(3)** (a) The home of a parent or other relative of the child, except that the judge may not designate the home of a parent or other relative of the child as the child's placement if the parent or other relative has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, unless the judge determines by clear and convincing evidence that the placement would be in the best interests of the child. The judge shall consider the wishes of the child in making that determination.

SECTION 1131hd. 48.345 (3) (b) of the statutes is amended to read:

48.345 **(3)** (b) ~~A home which need not be~~ The home of a person who is not required to be licensed if placement is for less than 30 days, except that the judge may not designate the home of a person who is not required to be licensed as the child's placement if the person has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, unless the judge determines by clear and convincing evidence that the placement would be in the best interests of the child. The judge shall consider the wishes of the child in making that determination.

SECTION 1131i. 48.355 (3) of the statutes is renumbered 48.355 (3) (a) and amended to read:

48.355 **(3)** (a) ~~If~~ Except as provided in par. (b), if, after a hearing on the issue with due notice to the parent or guardian, the ~~judge~~ court finds that it would be in the best interest of the child, the ~~judge~~ court may set reasonable rules of parental visitation.

SECTION 1131id. 48.355 (3) (b) of the statutes is created to read:

48.355 **(3)** (b) 1. Except as provided in subd. 2., the court may not grant visitation under par. (a) to a parent of a child if the parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated.

1m. Except as provided in subd. 2., if a parent who is granted visitation rights with a child under par. (a) is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated, the court shall issue an order prohibiting the parent from having visitation with the child on petition of the child, the guardian or legal custodian of the child, a person or agency bound by the dispositional order or the district attorney or corporation counsel of the county in which the dispositional order was entered, or on the court's own motion, and on notice to the parent.

2. Subdivisions 1. and 1m. do not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

SECTION 1131ir. 48.357 (4d) of the statutes is created to read:

48.357 **(4d)** (a) Except as provided in par. (b), the court may not change a child's placement to a placement in the home of a person who has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, if the conviction has not been reversed, set aside or vacated.

(am) Except as provided in par (b), if a parent in whose home a child is placed is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated, the court shall change the child's placement to a placement out of the home of the parent on petition of the child, the guardian or legal custodian of the child, a person or agency bound by the dispositional order or the district attorney or corporation counsel

of the county in which the dispositional order was entered, or on the court's own motion, and on notice to the parent.

(b) Paragraphs (a) and (am) do not apply if the court determines by clear and convincing evidence that the placement would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

Vetoed In Part

SECTION 1131k. 48.38 (4) (d) of the statutes is amended to read:

48.38 **(4)** (d) If the child is living more than 60 miles from his or her home, documentation that placement within 60 miles of the child's home is either unavailable or inappropriate or documentation that placement more than 60 miles from the child's home is in the child's best interests. The placement of a child in a licensed foster home or a licensed treatment foster home more than 60 miles from the child's home is presumed to be in the best interests of the child if documentation is provided ~~which~~ that shows ~~all~~ any of the following:

1. That the placement is made pursuant to a voluntary agreement under s. 48.63 (1)~~.~~

~~2. That~~, that the voluntary agreement provides that the child may be placed more than 60 miles from the child's home~~.~~

~~3. That~~ and that the placement is made to facilitate the anticipated adoptive placement of the child under s. 48.833 (1) or 48.837.

SECTION 1131L. 48.38 (4) (d) 1m. of the statutes is created to read:

48.38 **(4)** (d) 1m. That the placement is of a child with special needs, as defined by rule promulgated under s. 48.975 (5) (b), that the placement is made to facilitate the anticipated adoptive placement of the child under s. 48.833 (1) and that the department, county department or child welfare agency making the placement has determined under s. 48.833 (3) that consideration of the location of the proposed adoptive parent's residence is not necessary to ensure the best interests of the child in light of the child's need for care or treatment to meet those special needs.

SECTION 1131m. 48.38 (4) (dm) of the statutes is created to read:

48.38 **(4)** (dm) In the case of a child with special needs, as defined by rule promulgated under s. 48.975 (5) (b), who is placed to facilitate the anticipated adoptive placement of the child under s. 48.833 (1), if the department, county department or child welfare agency making the placement has determined under s. 48.833 (3) that consideration of the location of the proposed adoptive parent's residence is necessary to ensure the best interests of the child in light of the child's need for care or treatment to meet those special needs, documentation showing the reasons why that consideration is necessary.

SECTION 1131n. 48.415 (8) of the statutes is amended to read:

48.415 **(8)** ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to commit homicide of a parent, which shall be established by proving that a parent of the child has been a victim of first–degree intentional homicide in violation of s. 940.01, first–degree reckless homicide in violation of s. 940.02 or 2nd–degree intentional homicide in violation of s. 940.05 or a crime under federal law or the law of any other state that is comparable to ~~a crime specified in this subsection~~ any of those crimes, or has been the intended victim of a solicitation to commit first–degree intentional homicide in violation of s. 939.30 or a crime under federal law or the law of any other state that is comparable to that crime, and that the person whose parental rights are sought to be terminated has been convicted of that intentional or reckless homicide, solicitation or crime under federal law or the law of any other state as evidenced by a final judgment of conviction.

SECTION 1131p. 48.42 (1m) (b) of the statutes is amended to read:

48.42 **(1m)** (b) ~~The~~ Subject to par. (e), the court may issue the temporary order ex parte or may refuse to issue the temporary order and hold a hearing on whether to issue an injunction. The temporary order is in effect until a hearing is held on the issuance of an injunction. The court shall hold a hearing on the issuance of an injunction on or before the date of the hearing on the petition to terminate parental rights under s. 48.422 (1).

SECTION 1131pd. 48.42 (1m) (c) of the statutes is amended to read:

48.42 **(1m)** (c) Notwithstanding any other order under s. 48.355 (3), the court, subject to par. (e), may grant an injunction prohibiting the respondent from visiting or contacting the child if the court determines that the prohibition would be in the best interests of the child. An injunction under this subsection is effective according to its terms but may not remain in effect beyond the date the court dismisses the petition for termination of parental rights under s. 48.427 (2) or issues an order terminating parental rights under s. 48.427 (3).

SECTION 1131pg. 48.42 (1m) (e) of the statutes is created to read:

48.42 **(1m)** (e) 1. Except as provided in subd. 2., the court shall issue a temporary order and injunction prohibiting a parent of a child from visitation or contact with the child if the parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated.

2. Subdivision 1. does not apply if the court determines by clear and convincing evidence that the visitation or contact would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

SECTION 1131pm. 48.428 (6) of the statutes is renumbered 48.428 (6) (a) and amended to read:

48.428 **(6)** (a) ~~The~~ Except as provided in par. (b), the court may order or prohibit visitation by a birth parent of a child placed in sustaining care.

SECTION 1131pp. 48.428 (6) (b) of the statutes is created to read:

48.428 **(6)** (b) 1. Except as provided in subd. 2., the court may not grant visitation under par. (a) to a birth parent of a child who has been placed in sustaining care if the birth parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other birth parent, and the conviction has not been reversed, set aside or vacated.

1m. Except as provided in subd. 2., if a birth parent who is granted visitation rights with a child under par. (a) is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other birth parent, and the conviction has not been reversed, set aside or vacated, the court shall issue an order prohibiting the birth parent from having visitation with the child on petition of the child, the guardian or legal custodian of the child, or the district attorney or corporation counsel of the county in which the dispositional order was entered, or on the court's own motion, and on notice to the birth parent.

2. Subdivisions 1. and 1m. do not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

Vetoed In Part

SECTION 1131r. 48.434 (2) of the statutes is amended to read:

48.434 **(2)** Any birth parent of a child may file with the agency that placed the child for adoption under s. 48.833 (1) or that was appointed the guardian of the child under s. 48.837 (6) (d) a written authorization for the agency to release any available information about the birth parent's identity and location to one or both adoptive parents of the child.

SECTION 1131s. 48.434 (3) of the statutes is amended to read:

48.434 **(3)** Any adoptive parent of a child may file with the agency that placed the child for adoption under s. 48.833 (1) or that was appointed the guardian of the child under s. 48.837 (6) (d) a written authorization for the agency to release any available information about the adoptive parent's identity and location to one or both birth parents of the child.

SECTION 1132d. 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 1133d. 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 1134d. 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).

Vetoed In Part

SECTION 1134h. 48.48 (17) (a) 10. of the statutes is amended to read:

48.48 **(17)** (a) 10. Administer kinship care and long–term kinship care as provided in s. 48.57 (3m), (3n), (3o) and (3p).

SECTION 1135. 48.55 (title) of the statutes is amended to read:

48.55 (title) **State adoption information exchange and state adoption center.**

SECTION 1136. 48.55 of the statutes is renumbered 48.55 (1) and amended to read:

48.55 **(1)** The department shall establish a state adoption information exchange for the purpose of finding adoptive homes for children with special needs who do not have permanent homes~~. The department shall adopt rules governing the adoption information exchange and, from~~ and a state adoption center for the purposes of increasing public knowledge of adoption and promoting to adolescents and pregnant women the availability of adoption services. From the appropriation under s. 20.435 (3) (dg), the department may provide not more than ~~$75,000~~ $125,000 in each fiscal year as grants to individuals and private agencies ~~for~~ to provide adoption information exchange services and to operate the state adoption center.

SECTION 1137. 48.551 (title) and (1) of the statutes are repealed.

SECTION 1138. 48.551 (2) (intro.) of the statutes is renumbered 48.55 (2) (intro.) and amended to read:

48.55 **(2)** (intro.) The department shall promulgate rules governing the adoption information exchange and rules specifying the functions of the state adoption center~~, which~~. The rules specifying the functions of the state adoption center shall include all of the following:

SECTION 1139. 48.551 (2) (a), (b), (c), (d) and (e) of the statutes are renumbered 48.55 (2) (a), (b), (c), (d) and (e).

SECTION 1140. 48.561 (3) (b) of the statutes is amended to read:

48.561 **(3)** (b) The department of administration ~~and a county having a population of 500,000 or more shall consult to determine the method by which the state will~~ shall collect the amount specified in par. (a)~~. If the department of administration and~~ from a county having a population of 500,000 or more ~~reach an agreement as to that method and if that agreement calls for~~ by deducting all or part of that amount from any state payment due that county under s. 46.40, 79.03, 79.04, 79.058, 79.06 or

79.08 ~~or for adding a special charge to the amount of taxes apportioned to and levied on that county under s. 70.60, the~~. The department of administration shall notify the department of revenue, by September 15 of each year, of the amount to be deducted from ~~those~~ the state payments due ~~or to be added as that special charge. If the department of administration and a county having a population of 500,000 or more do not reach an agreement as to that method by September 15 of each year, the department of administration shall determine that method without the agreement of that county~~ under s. 79.03, 79.04, 79.058, 79.06 or 79.08. The department of administration shall credit all amounts collected under this paragraph to the appropriation account under s. 20.435 (3) (kw) and shall notify the county from which those amounts are collected of that collection.

SECTION 1141d. 48.57 (3m) (am) (intro.) of the statutes is amended to read:

48.57 **(3m)** (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435 (3) ~~(cz) and~~ (kc), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or more. A county department and, in a county having a population of 500,000 or more, the department shall make payments in the amount of $215 per month to a kinship care relative who is providing care and maintenance for a child if all of the following conditions are met:

Vetoed In Part

SECTION 1142g. 48.57 (3m) (f) of the statutes is amended to read:

48.57 **(3m)** (f) Any person whose application for payments under par. (am) is not acted on promptly or is denied on the grounds that ~~a condition~~ any of the conditions specified in par. (am) 1.~~, 2., 5. or~~ to 6. has not been met and any person whose payments under par. (am) are discontinued under par. (d) may petition the department under par. (g) for a review of that action or failure to act. Review is unavailable if the action or failure to act arose more than 45 days before submission of the petition for review.

SECTION 1143d. 48.57 (3n) (am) (intro.) of the statutes is amended to read:

48.57 **(3n)** (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435 (3) ~~(cz) and~~ (kc), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or more. A county department and, in a county having a population of 500,000 or more, the department shall make monthly payments for each child in the amount specified in sub. (3m) (am) (intro.) to a long–term kinship care relative who is providing care and maintenance for that child if all of the following conditions are met:

Vetoed In Part

SECTION 1145g. 48.57 (3n) (f) of the statutes is amended to read:

48.57 **(3n)** (f) Any person whose application for payments under par. (am) is not acted on promptly or is denied on the grounds that ~~a condition~~ any of the conditions specified in par. (am) 1.~~, 2., 5., 5m. or~~ to 5r. has not been met and any person whose payments under par. (am) are discontinued under par. (d) may petition the department under par. (g) for a review of that action or failure to act. Review is unavailable if the action or failure to act arose more than 45 days before submission of the petition for review.

SECTION 1145gm. 48.57 (3o) of the statutes is created to read:

48.57 **(3o)** (a) In this subsection:

1. "Kinship care relative" has the meaning given in sub. (3m) (a).

2. "Long–term kinship care relative" has the meaning given in sub. (3n) (a).

(b) From the appropriation under s. 20.435 (3) (kc), the department shall reimburse counties having populations of less than 500,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 500,000 or more. A county department and, in a county having a population of 500,000 or more, the department shall make payments in the amount of $215 per month to a kinship care relative or a long–term kinship care relative who is providing care and maintenance for a person if the person meets all of the following conditions:

1. The person is 18 years of age or over.

2. The person is enrolled in and regularly attending a secondary education classroom program leading to a high school diploma.

3. The person has not been absent from that program without an acceptable excuse under ss. 118.15 and 118.16 (4) for part or all of any day on which that program is held during the month preceding the month in which a payment under this paragraph is payable.

4. The person received funding under sub. (3m) (am) or (3n) (am) immediately prior to the person's 18th birthday.

(c) The county department or department making payments under par. (b) shall monitor the classroom attendance of the person receiving care and maintenance under par. (b) and may require consent to the release of school attendance records, under s. 118.125 (2) (e), as a condition of eligibility for payments under par. (b).

(d) Subsection (3m) or (3n), whichever is applicable, and subs. (3p) and (3t) shall continue to apply to a kinship care relative, long–term kinship care relative and person receiving care and maintenance under par. (b) in the same manner as those subsections applied to those persons immediately prior to the 18th birthday of the person receiving that care and maintenance.

Vetoed In Part

SECTION 1145h. 48.57 (3p) (fm) 1. of the statutes is amended to read:

48.57 **(3p)** (fm) 1. The county department or, in a county having a population of 500,000 or more, the department of health and family services may provisionally approve the making of payments under sub. (3m) based on the applicant's statement under sub. (3m) (am) 4m. The county department or department of health and family services may not finally approve the making of payments under sub. (3m) unless the county department or department of health and family services receives information from the department of justice indicating that the conviction record of the applicant under the law of this state is satisfactory according to the criteria specified in par. (g) 1. to 3. ~~or payment is approved under par. (h) 4.~~ The county department or department of health and family services may make payments under sub. (3m) conditioned on the receipt of information from the federal bureau of investigation indicating that the person's conviction record under the law of any other state or under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

SECTION 1145j. 48.57 (3p) (g) (intro.) of the statutes is amended to read:

48.57 **(3p)** (g) (intro.) ~~Except as provided in par. (h), the~~ A county department or, in a county having a population of 500,000 or more, the department of health and family services may not make payments to a person applying for payments under sub. (3m) and a person receiving payments under sub. (3m) may not employ a person in a position in which that person would have regular contact with the child for whom those payments are being made or permit a person to be an adult resident if any of the following applies:

SECTION 1145m. 48.57 (3p) (h) of the statutes is repealed.

SECTION 1145p. 48.57 (3t) of the statutes is amended to read:

48.57 **(3t)** Notwithstanding subs. (3m), (3n) and (3p), the department may enter into an agreement with the governing body of a federally recognized American Indian tribe or band to allow that governing body to administer the program under subs. (3m), (3n) and (3p) within the boundaries of that reservation. ~~Any agreement under this subsection relating to the administration of the program under sub. (3m) shall specify the person with whom a request for review under sub. (3p) (h) 2. may be filed and the person who has been designated by the governing body to conduct the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4.~~ Any agreement under this subsection relating to the administration of the program under sub. (3n) shall specify who is to make any determination as to whether a conviction record is satisfactory.

SECTION 1145t. 48.57 (3t) of the statutes is amended to read:

Vetoed In Part

48.57 **(3t)** Notwithstanding subs. (3m), (3n), (3o) and (3p), the department may enter into an agreement with the governing body of a federally recognized American Indian tribe or band to allow that governing body to administer the program under subs. (3m), (3n), (3o) and (3p) within the boundaries of that reservation. Any agreement under this subsection relating to the administration of the program under sub. (3m) shall specify the person with whom a request for review under sub. (3p) (h) 2. may be filed and the person who has been designated by the governing body to conduct the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4. Any agreement under this subsection relating to the administration of the program under sub. (3n) shall specify who is to make any determination as to whether a conviction record is satisfactory.

SECTION 1146dm. 48.60 (2) (d) of the statutes is amended to read:

48.60 **(2)** (d) A hospital, maternity hospital, maternity home~~,~~ or 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~~, if necessary to enable a sibling group to remain together, 6 or fewer children or, if the department promulgates rules permitting a different number of children, the number of children permitted under those rules, to provide care and maintenance for those children shall obtain a license to operate a foster home from the department, a county department or a licensed child welfare agency as provided in s. 48.75.

SECTION 1148g. 48.62 (4) of the statutes is amended to read:

48.62 **(4)** Monthly payments in foster care shall be provided according to the age–related rates specified in this subsection. Beginning on January 1, ~~1998~~ 2000, the age–related rates are: ~~$289~~ $299 for children aged 4 and under; ~~$315~~ $326 for children aged 5 to 11; ~~$358~~ $371 for children aged 12 to 14 and ~~$374~~ $387 for children aged 15 to 17. Beginning on January 1, ~~1999~~ 2001, the age–related rates are: ~~$296~~ $302 for children aged 4 and under; ~~$323~~ $329 for children aged 5 to 11; ~~$367~~ $375 for children aged 12 to 14; and ~~$383~~ $391 for children aged 15 to 17. In addition to these grants for basic maintenance, the department shall make supplemental payments for special needs, exceptional circumstances, care in a treatment foster home and initial clothing allowances according to rules promulgated by the department.

SECTION 1148m. 48.63 (3) of the statutes is amended to read:

Vetoed In Part

Vetoed In Part

48.63 **(3)** Subsection (1) does not apply to the placement of a child for adoption. Adoptive placements may be made only as provided under ss. 48.833 (1), 48.835, 48.837 and 48.839.

SECTION 1148p. 48.64 (1m) of the statutes is amended to read:

48.64 **(1m)** FOSTER HOME, TREATMENT FOSTER HOME AND GROUP HOME AGREEMENTS. If an agency places a child in a foster home, treatment foster home or group home under a court order or voluntary agreement under s. 48.63, the agency shall enter into a written agreement with the head of the home. The agreement shall provide that the agency shall have access at all times to the child and the home, and that the child will be released to the agency whenever, in the opinion of the agency placing the child or the department, the best interests of the child require it. If a child has been in a foster home, treatment foster home or group home for 6 months or more, the agency shall give the head of the home written notice of intent to remove the child, stating the reasons for the removal. The child may not be removed before completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice, whichever is later, unless the safety of the child requires it or, in a case in which the reason for removal is to place the child for adoption under s. 48.833 (1), unless all of the persons who have the right to request a hearing under sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the safety of the child requires earlier removal, s. 48.19 shall apply. If an agency removes a child from an adoptive placement, the head of the home shall have no claim against the placing agency for the expense of care, clothing or medical treatment.

SECTION 1151d. 48.651 (2m) of the statutes is amended to read:

48.651 **(2m)** Each county department shall provide the department with information about each person who is denied certification for a reason specified in s. 48.685 ~~(2)~~ (4m) (a) 1. to 5.

SECTION 1153d. 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 5 county departments, as defined in s. 938.02 (2g), or not more than 5 consortia of county departments to operate not more than 5 group homes that have been licensed under par. (a) as secured group homes, 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 (4m) and referred to the county department 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 1153m. 48.66 (2) of the statutes is amended to read:

48.66 **(2)** The department shall prescribe application forms to be used by all applicants for licenses from it. The application forms prescribed by the department shall require that the social security numbers of all applicants for a license to operate a child welfare agency, group home, shelter care facility or day care center who are individuals, other than an individual who does not have a social security number and who submits a statement made or subscribed under oath or affirmation as required under sub. (2m) (a) 2., be provided and that the federal employer identification numbers of all applicants for a license to operate a child welfare agency, group home, shelter care facility or day care center who are not individuals be provided.

SECTION 1154c. 48.66 (2m) (a) of the statutes is renumbered 48.66 (2m) (a) 1. and amended to read:

48.66 **(2m)** (a) 1. ~~The~~ Except as provided in subd. 2., the department of health and family services shall require each applicant for a license under sub. (1) 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) 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 1154d. 48.66 (2m) (a) 1. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

48.66 **(2m)** (a) 1. Except as provided in subd. 2., 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 1154g. 48.66 (2m) (a) 2. of the statutes is created to read:

48.66 **(2m)** (a) 2. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department of health and family services that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 1155c. 48.66 (2m) (am) of the statutes is renumbered 48.66 (2m) (am) 1. and amended to read:

48.66 **(2m)** (am) 1. ~~The~~ Except as provided in subd. 2., the department of corrections shall require each applicant for a license under sub. (1) 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 1155d. 48.66 (2m) (am) 1. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

48.66 **(2m)** (am) 1. Except as provided in subd. 2., 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 1155g. 48.66 (2m) (am) 2. of the statutes is created to read:

48.66 **(2m)** (am) 2. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department of corrections that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 1156c. 48.66 (2m) (b) of the statutes is amended to read:

48.66 **(2m)** (b) ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department of health and family services or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to that department, that department ~~of health and family services~~ may not issue or continue a license under sub. (1) to operate a child welfare agency, group home, shelter care facility or day care center to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to that department and may not issue or continue a license under sub. (1) 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~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (a) 2.

SECTION 1156d. 48.66 (2m) (b) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

48.66 **(2m)** (b) If an applicant who is an individual fails to provide the applicant's social security number to the department of health and family services or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to that department, that department 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 the applicant unless the applicant is an individual who does not have a social security number and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (a) 2.

SECTION 1157c. 48.66 (2m) (bm) of the statutes is amended to read:

48.66 **(2m)** (bm) ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department of corrections, that department ~~of corrections~~ may not issue or renew a license under sub. (1) to operate a secured child caring institution to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ does not have a social security number ~~to that department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (am) 2.

SECTION 1157d. 48.66 (2m) (bm) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

48.66 **(2m)** (bm) If an applicant who is an individual fails to provide the applicant's social security number to the department of corrections, that department may not issue or renew a license under sub. (1) (b) to operate a

secured child caring institution to or for the applicant unless the applicant does not have a social security number and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (am) 2.

SECTION 1157m. 48.66 (2m) (c) of the statutes is amended to read:

48.66 **(2m)** (c) The department of health and family services may not disclose any information obtained under par. (a) 1. to any person except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the request of the department of workforce development under s. 49.22 (2m).

SECTION 1157p. 48.66 (2m) (cm) of the statutes is amended to read:

48.66 **(2m)** (cm) The department of corrections may not disclose any information obtained under par. (am) 1. to any person except on the request of the department of workforce development under s. 49.22 (2m).

SECTION 1158d. 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 1159d. 48.685 (1) (a) of the statutes is renumbered 48.685 (1) (am).

SECTION 1159g. 48.685 (1) (ag) of the statutes is created to read:

48.685 **(1)** (ag) 1. "Caregiver" means any of the following:

a. A person who is, or is expected to be, an employe or contractor of an entity, who is or is expected to be under the control of the entity, as defined by the department by rule, and who has, or is expected to have, regular, direct contact with clients of the entity.

b. A person who has, or is seeking, a license, certification or contract to operate an entity.

2. "Caregiver" does not include a person who is certified as an emergency medical technician under s. 146.50 if the person is employed, or seeking employment, as an emergency medical technician.

SECTION 1159m. 48.685 (1) (ar) of the statutes is created to read:

48.685 **(1)** (ar) "Contractor" means, with respect to an entity, a person, or that person's agent, who provides services to the entity under an express or implied contract or subcontract, including a person who has staff privileges at the entity.

SECTION 1159p. 48.685 (1) (av) of the statutes is created to read:

48.685 **(1)** (av) "Direct contact" means face–to–face physical proximity to a client that affords the opportunity to commit abuse or neglect of a client or to misappropriate the property of a client.

SECTION 1159r. 48.685 (1) (b) of the statutes is amended to read:

48.685 **(1)** (b) "Entity" means a child welfare agency that is licensed under s. 48.60 to provide care and maintenance for children, to place children for adoption or to license foster homes or treatment foster homes; a foster home or treatment foster home that is licensed under s. 48.62; a group home that is licensed under s. 48.625; a shelter care facility that is licensed under s. 938.22; a day care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14); ~~or~~ a day care provider that is certified under s. 48.651; or a temporary employment agency that provides caregivers to another entity.

SECTION 1160d. 48.685 (1) (bg) of the statutes is amended to read: **Vetoed In Part**

48.685 **(1)** (bg) "Foster home" includes a placement for adoption under s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the adoption is finalized.

SECTION 1160e. 48.685 (1) (bm) of the statutes is created to read:

48.685 **(1)** (bm) "Nonclient resident" means a person who resides, or is expected to reside, at an entity, who is not a client of the entity and who has, or is expected to have, regular, direct contact with clients of the entity.

SECTION 1160em. 48.685 (1) (br) of the statutes is created to read:

48.685 **(1)** (br) "Reservation" means land in this state within the boundaries of a reservation of a tribe or within the bureau of Indian affairs service area for the Ho–Chunk Nation.

SECTION 1160f. 48.685 (1) (c) of the statutes is repealed and recreated to read:

48.685 **(1)** (c) "Serious crime" means a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2),

(3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or United States jurisdiction that would be a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

Vetoed In Part

SECTION 1160g. 48.685 (1) (d) of the statutes is amended to read:

48.685 **(1)** (d) "Treatment foster home" includes a placement for adoption under s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the adoption is finalized.

SECTION 1160gm. 48.685 (1) (e) of the statutes is created to read:

48.685 **(1)** (e) "Tribe" means a federally recognized American Indian tribe or band in this state.

SECTION 1161d. 48.685 (2) (a) (intro.) of the statutes is renumbered 48.685 (4m) (a) (intro.).

SECTION 1161g. 48.685 (2) (a) 1. of the statutes is renumbered 48.685 (4m) (a) 1.

SECTION 1161h. 48.685 (2) (a) 2. of the statutes is repealed.

SECTION 1161i. 48.685 (2) (a) 3. of the statutes is renumbered 48.685 (4m) (a) 3.

SECTION 1161j. 48.685 (2) (a) 4. of the statutes is renumbered 48.685 (4m) (a) 4.

SECTION 1161k. 48.685 (2) (a) 5. of the statutes is renumbered 48.685 (4m) (a) 5.

SECTION 1161m. 48.685 (2) (ad) of the statutes is renumbered 48.685 (4m) (ad) and amended to read:

48.685 **(4m)** (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 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.~~ sub. (2) (am) indicating that the person is not ineligible to be licensed, certified or contracted with for a reason specified in par. (a) 1. to 5.

SECTION 1163d. 48.685 (2) (ag) (intro.) of the statutes is renumbered 48.685 (4m) (b) (intro.) and amended to read:

48.685 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), an 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,~~ caregiver or permit a nonclient resident 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 1163g. 48.685 (2) (ag) 1. of the statutes is renumbered 48.685 (4m) (b) 1. and amended to read:

48.685 **(4m)** (b) 1. That the person has been convicted of a serious crime or, if the person is ~~an employe, prospective employe, contractor, prospective contractor, nonclient resident or prospective~~ a caregiver or 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, that the person has been convicted of a serious crime or adjudicated delinquent on or after his or her 12th birthday for committing a serious crime.

SECTION 1163h. 48.685 (2) (ag) 2. of the statutes is repealed.

SECTION 1163i. 48.685 (2) (ag) 3. of the statutes is renumbered 48.685 (4m) (b) 3.

SECTION 1163j. 48.685 (2) (ag) 4. of the statutes is renumbered 48.685 (4m) (b) 4.

SECTION 1163k. 48.685 (2) (ag) 5. of the statutes is renumbered 48.685 (4m) (b) 5.

SECTION 1165d. 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~~ The department, a county department, a child welfare 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~~ caregiver specified in sub. (1) (ag) 1. b., a 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~~ a caregiver 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 1165g. 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.~~ sub. (4m) (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)~~ sub. (4m) (b) 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 or a school board need not obtain the information specified in subds. 1. to 4.

SECTION 1167d. 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. par. (bd), every~~ 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~~ caregiver of the entity:

SECTION 1167g. 48.685 (2) (b) 1. e. of the statutes is amended to read:

48.685 **(2)** (b) 1. e. 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.~~ sub. (4m) (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)~~ sub. (4m) (b) 1. to 5. If the information obtained under this subd. 1. e. 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 subd. 1. e., the entity need not obtain the information specified in subd. 1. a. to d.

SECTION 1168d. 48.685 (2) (b) 2. of the statutes is repealed.

SECTION 1168g. 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~~ a caregiver or 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 or a school board is required under par. (am) (intro.) to obtain the information specified in par. (am) 1. to 5.

SECTION 1169p. 48.685 (2) (bb) of the statutes is created to read:

48.685 **(2)** (bb) If information obtained under par. (am) or (b) 1. indicates a charge of a serious crime, but does not completely and clearly indicate the final disposition of the charge, the department, county department, child welfare agency, school board or entity shall make every reasonable effort to contact the clerk of courts to determine the final disposition of the charge. If a background information form under sub. (6) (a) or (am) indicates a charge or a conviction of a serious crime, but information obtained under par. (am) or (b) 1. does not indicate such a charge or conviction, the department, county department, child welfare agency, school board or entity shall make every reasonable effort to contact the clerk of courts to obtain a copy of the criminal complaint and the final disposition of the complaint. If information obtained under par. (am) or (b) 1., a background information form under sub. (6) (a) or (am) or any other information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 or 947.013 obtained not more than 5 years before the date on which that information was obtained, the department, county department, child welfare agency, school board or entity shall make every reasonable effort to contact the clerk of courts to obtain a copy of the criminal complaint and judgment of conviction relating to that violation.

SECTION 1170d. 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 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)~~ sub. (4m) (b) 1. to 5. and with respect to whom the department, county department, child welfare 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 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 1170m. 48.685 (2) (bg) of the statutes is amended to read:

48.685 **(2)** (bg) If an entity ~~takes an action specified in par. (ag) (intro.) with respect to an employe, prospective employe, contractor or prospective contractor~~ hires or contracts with a caregiver for whom, within the last 4 years, the information required under par. (b) 1. a. to c. and e. has already been obtained~~, either~~ by another entity ~~or by a temporary employment agency~~, the entity may obtain ~~the~~ that information ~~required under par. (b) 1. a. to c. and e.~~ from that other entity ~~or temporary employment agency~~, which shall provide the information, if possible, to the requesting entity. If an entity cannot obtain the information required under par. (b) 1. a. to c. and e. from another entity ~~or from a temporary employment agency~~ or if an entity has reasonable grounds to believe that any information obtained from another entity ~~or from a temporary employment agency~~ is no longer accurate, the entity shall obtain that information from the sources specified in par. (b) 1. a. to c. and e.

SECTION 1170n. 48.685 (2) (bg) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

48.685 **(2)** (bg) If an entity ~~hires~~ employs or contracts with a caregiver for whom, within the last 4 years, the information required under par. (b) 1. a. to c. and e. has already been obtained by another entity, the entity may obtain that information from that other entity, which shall provide the information, if possible, to the requesting entity. If an entity cannot obtain the information required under par. (b) 1. a. to c. and e. from another entity or if an entity has reasonable grounds to believe that any information obtained from another entity is no longer accurate, the entity shall obtain that information from the sources specified in par. (b) 1. a. to c. and e.

SECTION 1171d. 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, or if the department, county department, child welfare agency, school board or entity determines that the person's employment, licensing or state court records provide a reasonable basis for further investigation, the department, county department, child welfare agency, school board or entity shall make a good faith effort to obtain from any state or other United States jurisdiction 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. The department, county department, child welfare agency, school board or entity may require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrests and convictions.

SECTION 1171g. 48.685 (2) (c) of the statutes is renumbered 48.685 (4m) (c) and amended to read:

48.685 **(4m)** (c) If the background information form completed by a person under sub. (6) (am) indicates that the person is not ineligible to be employed or contracted with for a reason specified in par. ~~(ag)~~ (b) 1. to 5., an entity may employ or contract with the person for not more than 60 days pending the receipt of the information sought under ~~par.~~ sub. (2) (am) 1. to 5. or (b) 1. If the background information form completed by a person under sub. (6) (am) indicates that the person is not ineligible to be permitted to reside at an entity for a reason specified in par. ~~(ag)~~ (b) 1. to 5. and if an entity otherwise has no reason to believe that the person is ineligible to be permitted to reside at an entity for any of those reasons, the entity may permit the person to reside at the entity for not more than 60 days pending receipt of the information sought under ~~par.~~ sub. (2) (am). An entity shall provide supervision for a person who is employed, contracted with or permitted to reside as permitted under this paragraph.

SECTION 1171j. 48.685 (2) (d) of the statutes is created to read:

48.685 **(2)** (d) Every entity shall maintain, or shall contract with another person to maintain, the most recent background information obtained on a caregiver under par. (b). The information shall be made available for inspection by authorized persons, as defined by the department by rule.

SECTION 1172d. 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 or a school board considers appropriate, the department, county department, child welfare 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.)~~ who are nonclient residents of an entity and ~~shall request the information specified in sub. (2) (am) 1. to 5.~~ for all persons under 18 years of age, but not under 12 years of age, who are ~~employes, contractors or nonclient residents~~ caregivers 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 1172g. 48.685 (3) (b) of the statutes is amended to read:

48.685 **(3)** (b) Every 4 years or at any time within that period that an entity considers appropriate, the entity shall request the information specified in sub. (2) (b) 1. a. to e. for all persons ~~specified in sub. (2) (ag) (intro.) employes or contractors~~ who are caregivers of the entity other than persons ~~who are~~ under 18 years of age, but not under 12 years of age ~~and~~, who are ~~employes, contractors or nonclient residents~~ caregivers 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 1173d. 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 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.)~~ who is a caregiver specified in sub. (1) (ag) 1. b. 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 1173g. 48.685 (4) of the statutes is amended to read:

48.685 **(4)** An entity that violates sub. (2) ~~or~~, (3) or (4m) (b) may be required to forfeit not more than $1,000 and may be subject to other sanctions specified by the department by rule.

SECTION 1173j. 48.685 (4m) (b) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

48.685 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit a nonclient resident to reside at the entity, if the entity knows or should have known any of the following:

SECTION 1174d. 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 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)~~ (4m) (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)~~ (4m) (b) 1. to 5., if the person demonstrates to the department, the county department, the child welfare agency or the school board or, in the case of an entity that is located within the boundaries of a reservation, to the person or body designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and in accordance with procedures established by the department by rule or by the tribe that he or she has been rehabilitated.

SECTION 1174g. 48.685 (5) (b) of the statutes is repealed.

SECTION 1175m. 48.685 (5d) of the statutes is created to read:

48.685 **(5d)** (a) Any tribe that chooses to conduct rehabilitation reviews under sub. (5) shall submit to the department a rehabilitation review plan that includes all of the following:

1. The criteria to be used to determine if a person has been rehabilitated.

2. The title of the person or body designated by the tribe to whom a request for review must be made.

3. The title of the person or body designated by the tribe to determine whether a person has been rehabilitated.

3m. The title of the person or body, designated by the tribe, to whom a person may appeal an adverse decision made by the person specified under subd. 3. and whether the tribe provides any further rights to appeal.

4. The manner in which the tribe will submit information relating to a rehabilitation review to the department so that the department may include that information in its report to the legislature required under sub. (5g).

5. A copy of the form to be used to request a review and a copy of the form on which a written decision is to be made regarding whether a person has demonstrated rehabilitation.

(b) If, within 90 days after receiving the plan, the department does not disapprove the plan, the plan shall be considered approved. If, within 90 days after receiving the plan, the department disapproves the plan, the department shall provide notice of that disapproval to the tribe in writing, together with the reasons for the disapproval. The department may not disapprove a plan unless the department finds that the plan is not rationally related to the protection of clients. If the department disapproves the plan, the tribe may, within 30 days after receiving notice of the disapproval, request that the secretary review the department's decision. A final decision under this paragraph is not subject to further review under ch. 227.

SECTION 1176d. 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,~~ hire or contract with a caregiver or permit a nonclient resident 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)~~ is not a serious crime, but that is, in the estimation of the department, county 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 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,~~ hire or contract with a caregiver or permit a nonclient resident 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)~~ is not a serious crime, but that is, in the estimation of the department, county department, school board, day care center or day care provider, substantially related to the care of a client.

SECTION 1176g. 48.685 (5m) of the statutes, as affected by 1999 Wisconsin Act .... (this act), 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 ~~hire~~ employ or contract with a caregiver or permit a nonclient resident to reside at the entity if the person has been convicted of an offense that is not a serious crime, but that is, in the estimation of the department, county 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 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 ~~hire~~ employ or contract with a caregiver or permit a nonclient resident to reside at the day care center or day care provider if the person has been convicted of or adjudicated delinquent on or after his or her 12th birthday for an offense that is not a serious crime, but that is, in the estimation of the department, county department, school board, day care center or day care provider, substantially related to the care of a client.

SECTION 1177r. 48.685 (6) (am) (intro.) of the statutes is renumbered 48.685 (6) (am) and amended to read:

48.685 **(6)** (am) Every 4 years an entity shall require all of ~~the following persons~~ its caregivers and nonclient residents to complete a background information form that is provided to the entity by the department~~:~~.

SECTION 1178d. 48.685 (6) (am) 1. of the statutes is repealed.

SECTION 1178g. 48.685 (6) (am) 2. of the statutes is repealed.

SECTION 1179d. 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 par. (a)~~ caregivers 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~~ caregivers 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.

2. For ~~persons specified under par. (a)~~ caregivers 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 par. (a)~~ caregivers 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

4. For ~~persons specified under par. (a)~~ caregivers 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 1180g. 48.685 (7) (a) of the statutes is repealed.

SECTION 1180h. 48.685 (7) (b) of the statutes is repealed.

SECTION 1181. 48.685 (8) of the statutes is amended to read:

48.685 **(8)** The department, a county department, a child welfare agency or a school board may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b). The fee may not exceed the reasonable cost of obtaining the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining information if to do so would be inconsistent with federal law.

SECTION 1182d. 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 1183d. 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 1184d. 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 1185d. 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 1186d. 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 1187d. 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 1188d. 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 1189d. 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 1189p. 48.75 (1g) (a) 4. of the statutes is amended to read: **Vetoed In Part**

48.75 **(1g)** (a) 4. The county of the public licensing agency issuing the license has a population of 500,000 or more and the placement is for adoption under s. 48.833 (1), 48.835 or 48.837.

SECTION 1189r. 48.75 (1m) of the statutes is amended to read:

48.75 **(1m)** Each child welfare agency and public licensing agency shall provide the subunit of the department that administers s. 48.685 with information about each person who is denied a license for a reason specified in s. 48.685 ~~(2)~~ (4m) (a) 1. to 5.

SECTION 1191. 48.825 (3) (b) of the statutes is amended to read:

48.825 **(3)** (b) An individual or agency providing adoption information ~~exchange services~~ under s. 48.55.

SECTION 1192. 48.825 (3) (c) of the statutes is repealed.

SECTION 1192g. 48.833 of the statutes is renumbered 48.833 (1) and amended to read: **Vetoed In Part**

48.833 **(1)** ADOPTIVE PLACEMENT. The department, a county department under s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a child for adoption in a licensed foster home or a licensed treatment foster home without a court order if the department, county department ~~under s. 48.57 (1) (e) or (hm)~~ or ~~the~~ child welfare agency is the guardian of the child or makes the placement at the request of another agency ~~which~~ that is the guardian of the child.

Vetoed In Part

(2) CONSIDERATION OF PLACEMENT WITH RELATIVE. Before placing a child for adoption under ~~this subsection~~ sub. (1), the department, county department or child welfare agency making the placement shall consider the availability of a placement for adoption with a relative of the child who is identified in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known by the department, county department or child welfare agency.

(4) WRITTEN AGREEMENT. When a child is placed under ~~this section~~ sub. (1) in a licensed foster home or a licensed treatment foster home for adoption, the department, county department or child welfare agency making the placement shall enter into a written agreement with the adoptive parent, which shall state the date on which the child is placed in the licensed foster home or licensed treatment foster home for adoption by the adoptive parent.

SECTION 1192j. 48.833 (3) of the statutes is created to read:

48.833 **(3)** CHILD WITH SPECIAL NEEDS. In placing a child with special needs, as defined by rule promulgated under s. 48.975 (5) (b), for adoption under sub. (1), the department, county department or child welfare agency making the placement may not consider the location of a proposed adoptive parent's residence as a factor in making that placement unless the department, county department or child welfare agency determines that consideration of that factor is necessary to ensure the best interests of the child in light of the child's need for care or treatment to meet those special needs. If the department, county department or child welfare agency considers the location of a prospective adoptive parent's residence as a factor in placing a child with special needs, the department, county department or child welfare agency shall document the reasons why that consideration is necessary in the child's permanency plan as provided in s. 48.38 (4) (dm). If the department, county department or child welfare agency does not consider the location of a prospective adoptive parent's residence as a factor in placing a child with special needs and the child is placed more than 60 miles from the child's home, the department, county department or child welfare agency shall document the reasons why that consideration is not necessary in the child's permanency plan as provided in s. 48.38 (4) (d) 1m.

SECTION 1192m. 48.913 (2) (c) 3. of the statutes is amended to read:

48.913 **(2)** (c) 3. With a petition under s. 48.90, if the parental rights of both parents of the child are terminated in another state and the child is placed for adoption under s. 48.833 (1).

SECTION 1192p. 48.925 (1) (intro.) of the statutes is amended to read:

48.925 **(1)** (intro.) Upon petition by a relative who has maintained a relationship similar to a parent–child relationship with a child who has been adopted by a stepparent or relative, the court, subject to subs. (1m) and (2), may grant reasonable visitation rights to that person if the petitioner has maintained such a relationship within 2 years prior to the filing of the petition, if the adoptive parent or parents, or, if a birth parent is the spouse of an adoptive parent, the adoptive parent and birth parent, have notice of the hearing and if the court determines all of the following:

SECTION 1192r. 48.925 (1m) of the statutes is created to read:

48.925 **(1m)** (a) Except as provided in par. (b), the court may not grant visitation rights under sub. (1) to a relative who has maintained a relationship similar to a parent–child relationship with a child if the relative has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated.

(am) Except as provided in par. (b), if a relative who is granted visitation rights with a child under sub. (1) is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, the court shall issue an order prohibiting the relative from having visitation with the child on petition of the child or the parent, guardian or legal custodian of the child, or on the court's own motion, and on notice to the relative.

(b) Paragraphs (a) and (am) do not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

SECTION 1195m. 48.981 (7) (b) of the statutes is amended to read:

48.981 **(7)** (b) Notwithstanding par. (a), either parent of a child may authorize the disclosure of a record for use in a child custody proceeding under s. 767.24 or 767.325 or in an adoption proceeding under s. 48.833 (1), 48.835, 48.837 or 48.839 when the child has been the subject of a report. Any information that would identify a reporter shall be deleted before disclosure of a record under this paragraph.

SECTION 1199d. 48.982 (2) (d) of the statutes is amended to read:

48.982 **(2)** (d) Solicit and accept contributions, grants, gifts and bequests for the children's trust fund or for any other purpose for which a contribution, grant, gift or bequest is made and received. Moneys received under this paragraph, other than moneys received under s. 341.14 (6r) (b) 6., may be ~~deposited in~~ credited to the appropriation accounts under s. 20.433 (1) (i), (q) or (r). ~~This paragraph does not apply to moneys~~ Interest earned on moneys received under s. 341.14 (6r) (b) 6. may be

credited to the appropriation accounts under s. 20.433 (1) (q) or (r).

SECTION 1200d. 48.982 (2m) (intro.) of the statutes is amended to read:

48.982 **(2m)** DONATION USES. (intro.) If money is accepted by the board for the children's trust fund or for any other purpose under sub. (2) (d)~~, except moneys received under s. 341.14 (6r) (b) 6.~~ and appropriated under s. 20.433 (1) (q) or (r), the board shall use the money in accordance with the wishes of the donor to do any of the following:

SECTION 1201. 48.985 (2) of the statutes is amended to read:

48.985 **(2)** COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the appropriation under s. 20.435 (7) (o), the department shall distribute not more than ~~$3,804,000 in fiscal year 1997–98 and not more than $3,734,000 in fiscal year 1998–99~~ $3,964,400 in each fiscal year of the moneys received under 42 USC 620 to 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or purchase of child welfare projects and services, for services to children and families, for services to the expectant mothers of unborn children and for family–based child welfare services.

SECTION 1201t. 49.015 (1m) (b) 5. of the statutes is created to read:

49.015 **(1m)** (b) 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 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 1207m. 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 1209q. 49.124 (1m) (cm) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.124 **(1m)** (cm) The amount of food stamp benefits paid to a recipient who is a participant in a Wisconsin works employment position under s. 49.147 (4) ~~(b)~~ or (5) shall be calculated based on the pre–sanction benefit amount received s. 49.148.

SECTION 1211d. 49.136 (2) (b) of the statutes is amended to read:

49.136 **(2)** (b) The department shall attempt to award grants under this section to head start agencies designated under 42 USC 9836, employers that provide or wish to provide child care services for their employes, family day care centers, group day care centers and day care programs for the children of student parents, organizations that provide child care for sick children and child care providers that employ participants or former participants in a Wisconsin works employment position under s. 49.147 (3) to (5).

SECTION 1213. 49.1375 of the statutes is created to read:

49.1375 Early childhood excellence initiative. (1) The department shall establish a grant program to develop at least 5 early childhood centers for children under the age of 5 who are eligible to receive temporary assistance to needy families under 42 USC 601 et seq. Centers awarded a grant under this subsection shall provide outreach and training for parents of the children served by the center and training for child care providers. The centers shall emphasize stimulation of the child's language skills and senses of vision and touch. A person who is awarded a grant under this subsection shall contribute matching funds from local or private sources equal to 25% of the amount awarded under this subsection.

(2) The department shall establish a grant program under which a child care provider that receives training at a center that is awarded a grant under sub. (1) may apply for a grant to establish an early childhood program that serves children specified under sub. (1). The program developed under a grant received under this subsection shall emphasize stimulation of the children's language skills and senses of vision and touch. A person who is awarded a grant under this subsection shall contribute matching funds from local or private sources equal to 25% of the amount awarded under this subsection.

SECTION 1213g. 49.138 (1m) (intro.) of the statutes is amended to read:

49.138 **(1m)** (intro.) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or impending homelessness or energy crisis. The department shall establish the maximum amount of aid to be granted, except for cases of energy crisis, per family member based on the funding available under s. 20.445 (3) (dc) and (md). The department need not establish the maximum amount by rule under ch. 227. The department shall publish the maximum amount and annual changes to it in the Wisconsin administrative register. Emergency assistance provided to needy persons under this section in cases of fire, flood, natural disaster or energy crisis may only be provided to a needy person once in a 12–month period. Emergency assistance provided to needy persons under this section in cases of homelessness or impending homelessness may be used only to obtain or retain a permanent living accommodation and, except as provided in sub. (2), may only be provided to a needy person once in a 36–month period. For the purposes of this section, a family is considered to be homeless, or to be facing impending homelessness, if any of the following applies:

SECTION 1213h. 49.138 (1m) (am) of the statutes is created to read:

49.138 **(1m)** (am) The family is experiencing a financial crisis that makes it very difficult for the family to make a rent payment, mortgage payment or property tax payment and the family has been notified that it will be required to leave its current housing if it does not make that payment immediately.

SECTION 1214. 49.141 (2) of the statutes is repealed.

SECTION 1215. 49.141 (2g) (a) of the statutes is renumbered 49.141 (2g).

SECTION 1216. 49.141 (2g) (b) of the statutes is repealed.

SECTION 1216m. 49.141 (4) of the statutes is amended to read: **Vetoed In Part**

49.141 **(4)** NONENTITLEMENT. ~~Notwithstanding~~ Except as provided in s. 49.145 (3m), notwithstanding fulfillment of the eligibility requirements for any component of Wisconsin works, an individual is not entitled to services or benefits under Wisconsin works.

SECTION 1217. 49.143 (1) (a) of the statutes is amended to read:

49.143 **(1)** (a) Except as provided in par. (am), the department may award a contract, on the basis of a competitive process approved by the secretary of administration, to any person to administer Wisconsin works in a geographical area determined by the department under sub. (6). ~~The department shall award contracts under this~~

~~paragraph before the date that is specified in s. 49.141 (2) (d)~~.

SECTION 1218. 49.143 (1) (am) 1. of the statutes is repealed and recreated to read:

49.143 **(1)** (am) 1. The department shall contract with a Wisconsin works agency to administer Wisconsin works if that agency has met the performance standards established by the department in accordance with sub. (3), during the immediately preceding contract period. The contract shall be for a term of at least 2 years. A Wisconsin works agency may elect not to enter into a contract under this subdivision if the Wisconsin works agency informs the department by the date established by the department that the Wisconsin works agency has made that election.

SECTION 1219. 49.143 (1) (am) 2. of the statutes is amended to read:

49.143 **(1)** (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency that has not met the ~~aid to families with dependent children caseload~~ performance standards established by the department may apply for a contract under the competitive process established under par. (a).

SECTION 1220. 49.143 (1) (at) of the statutes is repealed.

SECTION 1220m. 49.143 (2) (a) 7. of the statutes is amended to read:

49.143 **(2)** (a) 7. Coordinate with the ~~governor's council on workforce excellence under s. 106.115~~ council on workforce investment established under 29 USC 2821 to ensure compatibility of purpose and no duplication of effort.

SECTION 1221. 49.143 (2) (cr) of the statutes is amended to read:

49.143 **(2)** (cr) Provide, or contract with another person to provide, credit establishment and credit repair assistance 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.~~ **Vetoed In Part**

SECTION 1221h. 49.143 (2) (ct) of the statutes is created to read:

49.143 **(2)** (ct) Return to the department an amount equal to the total amount of benefits withheld under s. 49.148 for missed work or education and training activities.

SECTION 1222. 49.143 (2) (e) of the statutes is amended to read:

49.143 **(2)** (e) To the extent permitted under federal law or waiver, certify eligibility for and issue food coupons to eligible Wisconsin works participants in conformity with 7 USC 2011 to 2029. If the department receives the federal waiver necessary to enforce the contract provision under this paragraph, the department shall submit to the joint committee on finance the terms of the waiver and an implementation plan prior to enforcing the contract provision under this paragraph.

SECTION 1222g. 49.143 (2) (es) of the statutes is created to read:

49.143 **(2)** (es) Provide to every individual who requests assistance from the Wisconsin works agency a single–page description of all of the benefits and services that may be provided to any individual by the Wisconsin works agency. The department shall develop the description and distribute it to all Wisconsin works agencies. The department shall update the description as frequently as necessary to reflect all benefits and services that may be offered by Wisconsin works agencies.

SECTION 1224c. 49.143 (3) of the statutes is amended to read:

49.143 **(3)** PERFORMANCE STANDARDS. ~~The~~ In consultation with the statewide advisory group and special work groups established under sub. (3m), the department shall establish performance standards for the administration of Wisconsin works. If a Wisconsin works agency does not meet the standards established under this subsection, the department may withhold or recover any or all payment from the Wisconsin works agency. **Vetoed In Part**

SECTION 1224d. 49.143 (3g) of the statutes is created to read:

49.143 **(3g)** PERFORMANCE BONUSES. (a) The department shall base any performance bonus calculation that it makes for Wisconsin works agencies on all of the following performance criteria:

1. The placement of applicants for and participants in Wisconsin works employment positions into unsubsidized employment, as defined in s. 49.147 (1) (c). **Vetoed In Part**

2. Whether the placement under subd. 1. is full time or part time.

3. The job retention rate, as defined by the department, of former applicants for, and former participants in, Wisconsin works employment positions. **Vetoed In Part**

Vetoed In Part

4. Wages and benefits earned by former applicants for, and former participants in, Wisconsin works employment positions.

5. Appropriate implementation of Wisconsin works.

6. Customer satisfaction.

(b) The department may not base any performance bonus payments on caseload decreases, or reduced spending by the Wisconsin works agency, that are not directly attributable to placement of participants in unsubsidized employment.

Vetoed In Part

(c) The department shall develop a system by which the department may track former participants and former applicants for Wisconsin works to facilitate an assessment of how successfully each Wisconsin works agency has met the performance criteria specified in par. (a).

Vetoed In Part

SECTION 1224p. 49.143 (3m) of the statutes is created to read:

49.143 **(3m)** STATEWIDE ADVISORY GROUP. The department shall establish a statewide advisory group to provide a forum for any person to raise concerns and to receive or provide information about programs and policies regarding Wisconsin works, including the Wisconsin works agency contract process. The department shall develop regional forums and special work groups to address issues of concern raised at the meetings of the statewide advisory group and shall allow any person to participate in the work groups.

SECTION 1224r. 49.145 (2) (d) of the statutes is repealed and recreated to read:

49.145 **(2)** (d) The individual has residence in this state.

SECTION 1225. 49.145 (2) (n) 1. a. of the statutes is amended to read:

49.145 **(2)** (n) 1. a. The job opportunities and basic skills program under s. 49.193, 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 1226v. 49.145 (3) (b) 1. of the statutes is amended to read:

49.145 **(3)** (b) 1. All earned and unearned income of the individual, except any amount received under section 32 of the internal revenue code, as defined in s. 71.01 (6), any amount received under s. 71.07 (9e), any payment made by an employer under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any assistance received under s. 49.148. In determining the earned and unearned income of the individual, the Wisconsin works agency may not include income earned by a dependent child of the individual.

SECTION 1227. 49.145 (3) (b) 2. of the statutes is repealed.

Vetoed In Part

SECTION 1227m. 49.145 (3m) of the statutes is created to read:

Vetoed In Part

49.145 **(3m)** PLACEMENT. (a) Within 30 days after an individual applies for a Wisconsin works employment position, the Wisconsin works agency shall place the individual in a Wisconsin works employment position if the individual meets all of the eligibility requirements under this section and if the individual is unable to find unsubsidized employment, as defined in s. 49.147 (1) (c), despite the individual's reasonable effort to search for unsubsidized employment.

(b) In the case of an individual who is incapable of performing a job search, the Wisconsin works agency shall place the individual in a Wisconsin works employment position immediately after making a determination that an individual otherwise meets the eligibility requirements under this section.

SECTION 1228. 49.145 (4) of the statutes is amended to read:

49.145 **(4)** REVIEW OF ELIGIBILITY. A Wisconsin works agency shall periodically review an individual's eligibility. The individual remains eligible under sub. (3) until the Wisconsin works group's assets ~~exceed the asset limits for at least 2 months or~~ ~~until the~~ or income ~~of the Wisconsin works group~~ is expected to exceed the asset or income ~~limits~~ limit under sub. (3) for at least 2 consecutive months.

SECTION 1229. 49.147 (1m) of the statutes is created to read:

49.147 **(1m)** EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the appropriate placement for an individual is in unsubsidized employment or a trial job, the Wisconsin works agency shall conduct an educational needs assessment of the individual. If the Wisconsin works agency determines that the individual needs basic education, including a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation, and if the individual wishes to pursue basic education, the Wisconsin works agency shall include basic education in an employability plan developed for the individual. The Wisconsin works agency shall pay for the basic education services identified in the employability plan.

SECTION 1229q. 49.147 (4) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

49.147 **(4)** COMMUNITY SERVICE JOB. (a) *Administration*. A Wisconsin works agency shall administer a community service job program as part of its administration of Wisconsin works to improve the employability of an individual who is not otherwise able to obtain employment, as determined by the Wisconsin works agency, by providing work experience and training, if necessary, to assist the individual to move promptly into unsubsidized public or private employment or a trial job. In determining an appropriate placement for a participant, a Wisconsin works agency shall give placement under this subsec-

tion priority over placements under sub. (5). Community service jobs shall be limited to projects that the department determines would serve a useful public purpose or projects the cost of which is partially or wholly offset by revenue generated from such projects. After each 6 months of an individual's participation under this subsection and at the conclusion of each assignment under this subsection, a Wisconsin works agency shall reassess the individual's employability.

(am) *Education or training activities*. A participant under this subsection may be required to participate in education and training activities assigned as part of an employability plan developed by the Wisconsin works agency. The department shall establish by rule permissible education and training under this paragraph, which shall include a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation, technical college courses and educational courses that provide an employment skill. Permissible education under this paragraph shall also include English as a 2nd language courses that the Wisconsin works agency determines would facilitate an individual's efforts to obtain employment and adult basic education courses that the Wisconsin works agency determines would facilitate an individual's efforts to obtain employment.

(as) *Required hours*. Except as provided in pars. (at) and (av) and sub. (5m), a Wisconsin works agency shall require a participant placed in a community service job program to work in a community service job for the number of hours determined by the Wisconsin works agency to be appropriate for the participant at the time of application or review, but not to exceed 30 hours per week. Except as provided in pars. (at) and (av), a Wisconsin works agency may require a participant placed in the community service job program to participate in education or training activities for not more than 10 hours per week.

(at) *Motivational training*. A Wisconsin works agency may require a participant, during the first 2 weeks of participation under this subsection, to participate in an assessment and motivational training program identified by the community steering committee under s. 49.143 (2) (a) 10. The Wisconsin works agency may require not more than 40 hours of participation per week under this paragraph in lieu of the participation requirement under par. (as).

(av) *Education for 18–year–old and 19–year–old students*. A Wisconsin works agency shall permit a participant under this subsection who has not attained the age of 20 and who has not obtained a high school diploma or a declaration of equivalency of high school graduation to attend high school or, at the option of the participant, to enroll in a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation to satisfy, in whole or in part, the required hours of participation under par. (as).

(b) *Time–limited participation*. An individual may participate in a community service job for a maximum of 6 months, with an opportunity for a 3–month extension under circumstances approved by the department. An individual may participate in more than one community service job, but may not exceed a total of 24 months of participation under this subsection. The months need not be consecutive. The department or, with the approval of the department, the Wisconsin works agency may grant an extension to the 24–month limit on a case–by–case basis if the Wisconsin works agency determines that the individual has made all appropriate efforts to find unsubsidized employment and has been unable to find unsubsidized employment because local labor market conditions preclude a reasonable employment opportunity in unsubsidized employment for that participant, as determined by a Wisconsin works agency and approved by the department, and if the Wisconsin works agency determines, and the department agrees, that no trial job opportunities are available in the specified local labor market.

(c) *Worker's compensation*. A participant under this subsection is an employe of the Wisconsin works agency for purposes of worker's compensation coverage, except to the extent that the person for whom the participant is performing work provides worker's compensation coverage.

SECTION 1233g. 49.147 (5) (bs) of the statutes is amended to read:

49.147 **(5)** (bs) *Required hours*. Except as provided in par. (bt) and sub. (5m), a Wisconsin works agency may require a participant placed in a transitional placement to engage in activities under par. (b) 1. for up to 28 hours per week. ~~A~~ Except as provided in sub. (5m), a Wisconsin works agency may require a participant placed in a transitional placement to participate in education or training activities under par. (bm) for not more than 12 hours per week.

SECTION 1233m. 49.147 (5m) of the statutes is created to read:

49.147 **(5m)** POSTSECONDARY EDUCATION. (a) To the extent permitted under 42 USC 607, and except as provided in par. (bL), a participant under sub. (4) (b) or (5) may elect to participate in a self–initiated technical college education program as part of a community service job placement or transitional placement if all of the following requirements are met:

Vetoed In Part

1. The Wisconsin works agency, in consultation with the community steering committee established under s. 49.143 (2) (a) and the technical college district board, determines that the technical college education program is likely to lead to employment.

2. The participant maintains full–time status in the technical college education program, as determined by

the technical college that the participant attends, and regularly attends all classes.

3. The participant maintains a grade point average of at least 2.0, or the equivalent as determined by the technical college.

4. The participant is employed or engages in work under a community service job or transitional placement.

Vetoed In Part

(b) No Wisconsin works agency may require a participant under this subsection to be employed or to engage in work or other activities under sub. (4) or (5) for more than 25 hours per week in addition to participation under this subsection.

Vetoed In Part

(bL) A participant may participate under this subsection for the duration of the technical college education program, except that the participant may not participate under this subsection for more than 2 years.

(c) The Wisconsin works agency shall work with the community steering committee established under s. 49.143 (2) (a) and the technical college district board to monitor the participant's progress in the technical college education program and the effectiveness of the program in leading to employment.

SECTION 1234qc. 49.147 (6) (a) 2. of the statutes is amended to read:

49.147 **(6)** (a) 2. The individual needs the loan to obtain or continue employment. Fulfillment of this requirement includes a loan that is needed to repair or purchase a vehicle that is needed to obtain or continue employment.

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~~ Except as provided in subd. 1m., 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)~~. For every hour that the participant misses work or education or training activities without good cause, the grant amount shall be reduced by $5.15. Good cause shall be determined by the financial and employment planner in accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of domestic abuse. If a participant in a community service job under s. 49.147 (4) ~~(b)~~ is required to work fewer than 30 hours per week because the participant has unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this paragraph ~~may be reduced by an amount equal to the product of $5.15 and the difference between 30 and the number of hours the participant is required to work~~ shall equal the amount specified under subd. 1m. minus $5.15 for each hour that the participant misses work or education or training activities without good cause.

SECTION 1236c. 49.148 (1) (b) 1m. of the statutes is created to read:

49.148 **(1)** (b) 1m. Except as provided in subd. 1., the Wisconsin works agency shall pay a participant in a community service job the following:

a. For a participant placed in a community service job for not more than 10 hours per week, one–third of the amount specified in subd. 1m. d.

b. For a participant placed in a community service job for more than 10 hours but not more than 15 hours per week, one–half of the amount specified under subd. 1m. d.

c. For a participant placed in a community service job for more than 15 hours but not more than 20 hours per week, two–thirds of the amount specified under subd. 1m. d.

d. For a participant placed in a community service job for more than 20 hours per week, $673.

SECTION 1237b. 49.148 (1) (b) 2. of the statutes is repealed.

SECTION 1237f. 49.148 (1) (b) 3. of the statutes is created to read:

49.148 **(1)** (b) 3. For a participant in a community service job who participates in self–initiated technical college education under s. 49.147 (5m), a monthly grant of $673, paid by the Wisconsin works agency. For every hour that the participant misses work or other required 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.

Vetoed In Part

SECTION 1237h. 49.148 (1) (c) of the statutes is amended to read:

49.148 **(1)** (c) *Transitional placements.* For a participant in a transitional placement under s. 49.147 (5) or in a transitional placement and in self–initiated technical college education under s. 49.147 (5m), a grant of $628, paid monthly by the Wisconsin works agency ~~or by the department under sub. (2)~~. For every hour that the partic-

Vetoed In Part

ipant fails to participate in any required activity without good cause, including any activity under s. 49.147 (5) (b) 1. a. to e., 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.

SECTION 1237m. 49.148 (1m) (a) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.148 **(1m)** (a) A custodial parent of a child who is 12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of $673 unless another adult member of the custodial parent's Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under this subsection to participate in any employment positions. Receipt of a grant under this subsection does not constitute participation in a Wisconsin works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b) ~~2. or (c) 4.~~ or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position.

SECTION 1237n. 49.148 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.148 **(1m)** (b) Receipt of a grant under this subsection constitutes participation in a Wisconsin works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) ~~2. or (c) 4.~~ or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

Vetoed In Part

SECTION 1237t. 49.148 (2m) of the statutes is created to read:

49.148 **(2m)** PAY PERIOD. (a) Except as provided in par. (b), benefits under this section shall be paid on the first day of each month. A payment made under this paragraph shall be for any participation from the 26th day of the month immediately preceding the month that immediately precedes the month in which the payment is made through the 25th day of the month that immediately precedes the month in which the payment is made.

Vetoed In Part

(b) The Wisconsin works agency shall make the first grant payment under this section 14 days after the participant begins participating under s. 49.147 (4). Payments made under this paragraph shall include payment for all participation through the date of the payment.

SECTION 1241. 49.155 (1) (aL) of the statutes is created to read:

49.155 **(1)** (aL) "Disabled" means physically or mentally incapable of caring for oneself.

SECTION 1244. 49.155 (1g) (intro.) of the statutes is amended to read:

49.155 **(1g)** DISTRIBUTION OF FUNDS. (intro.) Subject to sub. (1j) ~~and s. 16.54 (2)~~, the department shall, within the limits of the availability of the federal child care and development block grant funds received under 42 USC 9858, do all of the following:

SECTION 1245d. 49.155 (1g) (b) of the statutes is amended to read:

49.155 **(1g)** (b) From the appropriation under s. 20.445 (3) (mc), distribute ~~$4,315,000~~ $8,012,500 in fiscal year ~~1997–98~~ 1999–2000 and ~~$4,315,000~~ $7,412,500 in fiscal year ~~1998–99~~ 2000–01 for the purposes of providing technical assistance for child care providers and of administering the child care program under this section and for grants under s. 49.136 (2) for the start–up and expansion of child day care services, and for child day care start–up and expansion planning, for grants under s. 49.134 (2) for child day care resource and referral services, for grants under s. 49.137 (3) to assist child care providers in meeting the quality of care standards established under sub. (1d), and for a system of rates or a program of grants, as provided under sub. (1d), to reimburse child care providers that meet those quality of care standards and for grants under s. 49.137 (2) and contracts under s. 49.137 (4) to improve the quality of child day care services in this state.

SECTION 1246. 49.155 (1g) (c) of the statutes is amended to read:

49.155 **(1g)** (c) From the appropriation under s. 20.445 (3) (mc), transfer ~~$1,687,400~~ $3,596,900 in fiscal year ~~1997–98~~ 1999–2000 and ~~$1,687,400~~ $3,745,200 in fiscal year ~~1998–99~~ 2000–01 to the appropriation under s. 20.435 ~~(6)~~ (3) (kx), and transfer $20,700 in fiscal year 1999–2000 and $27,700 in fiscal year 2000–01 to the appropriation under s. 20.435 (8) (kx), for the purpose of day care center licensing under s. 48.65.

SECTION 1247. 49.155 (1g) (d) of the statutes is created to read:

49.155 **(1g)** (d) From the appropriation under s. 20.445 (3) (mc), transfer $182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the administration of day care programs for foster parents in a county having a population of 500,000 or more.

SECTION 1248. 49.155 (1m) (intro.) of the statutes is amended to read:

49.155 **(1m)** ELIGIBILITY. (intro.) A Wisconsin works agency shall determine eligibility for a child care subsidy under this section. Under this section, an individual may receive a subsidy for child care for a child who has not attained the age of 13 or, if the child is disabled, who has not attained the age of 19, if the individual meets all of the following conditions:

SECTION 1249. 49.155 (1m) (a) (intro.) of the statutes is amended to read:

49.155 **(1m)** (a) (intro.) The individual is a parent of a child who is under the age of 13~~,~~ or, if the child is disabled, is under the age of 19; or is a person who, under s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the age of 13~~,~~ or, if the child is disabled, is under the age of 19; and child care services for that child are needed in order for the individual to do any of the following:

SECTION 1249q. 49.155 (1m) (a) 3. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.155 **(1m)** (a) 3. Work in a Wisconsin works employment position, including participation in job search, orientation and training activities under s. 49.147 (2) (a) and in education or training activities under s. 49.147 (3) (am), (4) ~~(b) 1. a.~~ (am) or (5) (bm).

SECTION 1250b. 49.155 (1m) (a) 4. (intro.) of the statutes is renumbered 49.155 (1m) (a) 4. and amended to read:

49.155 **(1m)** (a) 4. ~~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:~~

Vetoed In Part

SECTION 1251b. 49.155 (1m) (a) 4. a. of the statutes is repealed.

SECTION 1251c. 49.155 (1m) (a) 4. b. of the statutes is repealed.

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.

Vetoed In Part

SECTION 1253. 49.155 (1m) (b) 3. of the statutes is repealed.

SECTION 1254. 49.155 (1m) (c) 1. of the statutes is renumbered 49.155 (1m) (c) 1. (intro.) and amended to read:

49.155 **(1m)** (c) 1. (intro.) The gross income of the individual's family is at or below ~~165%~~ 185% of the poverty line for a family the size of the individual's family or, for an individual who is already receiving a child care subsidy under this section, the gross income of the individual's family is at or below 200% of the poverty line for a family the size of the individual's family. In calculating the gross income of the family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3., except that, in calculating farm and self–employment income, the Wisconsin works agency shall include the sum of the following:

SECTION 1255. 49.155 (1m) (c) 1. a. of the statutes is created to read:

49.155 **(1m)** (c) 1. a. Net earnings reported to the Internal Revenue Service.

SECTION 1256. 49.155 (1m) (c) 1. b. of the statutes is created to read:

49.155 **(1m)** (c) 1. b. Depreciation expenses, personal business and entertainment expenses, personal transportation costs, purchases of capitol equipment and payments on the principal of loans.

SECTION 1257. 49.155 (1m) (c) 1g. of the statutes is amended to read:

49.155 **(1m)** (c) 1g. The individual is a foster parent of the child and the child's biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

SECTION 1258. 49.155 (1m) (c) 1h. of the statutes is amended to read:

49.155 **(1m)** (c) 1h. The individual is a relative of the child, is providing care for the child under a court order and is receiving payments under s. 48.57 (3m) on behalf of the child and the child's biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty line. In calculating the gross income of the child's biological or adoptive family, the Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

SECTION 1259. 49.155 (1m) (c) 3. of the statutes is amended to read:

49.155 **(1m)** (c) 3. The individual was eligible for a child care subsidy under s. 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy on or after May 10, 1996, but lost the subsidy solely because of increased income, and the gross income of the individual's family is at or below 200% of the poverty line for a family the size of the individual's family. This subdivision does not apply to an individual whose family's gross income increased to more than 200% of the poverty line for a family the size of the individual's family.

SECTION 1265. 49.155 (3m) (b) of the statutes is renumbered 49.155 (3m) (b) (intro.) and amended to read:

49.155 **(3m)** (b) ~~Not more than 5%, or $20,000, whichever is greater, of~~ Of the funds distributed under par. (a) not more than the greatest of the following may be used for the costs of administering the program under this section~~.~~:

SECTION 1266. 49.155 (3m) (b) 1. of the statutes is created to read:

49.155 **(3m)** (b) 1. Five percent of the funds distributed under par. (a) in the current year.

SECTION 1267. 49.155 (3m) (b) 2. of the statutes is created to read:

49.155 **(3m)** (b) 2. Five percent of the funds distributed under par. (a) in the immediately preceding year.

SECTION 1268. 49.155 (3m) (b) 3. of the statutes is created to read:

49.155 **(3m)** (b) 3. Twenty thousand dollars.

SECTION 1270p. 49.155 (5) of the statutes is amended to read:

49.155 **(5)** LIABILITY FOR PAYMENT. An individual is liable for the percentage of the cost of the child care ~~that the department~~ specified by the department in a printed copayment schedule. An individual who is under the age of 20 and is attending high school or participating in a course of study meeting the standards established under s. 115.29 (4) for the granting of a declaration of equivalency to high school graduation may not be determined liable for more than the minimum copayment amount for the type of child care received and the number of children receiving child care.

SECTION 1275. 49.161 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.161 **(1)** TRIAL JOBS ~~AND WAGE–PAYING COMMUNITY SERVICE JOBS~~ OVERPAYMENTS. Notwithstanding s. 49.96, the department shall recover an overpayment of benefits paid under s. 49.148 (1) (a) ~~and (b) 2.~~ from an individual who receives ~~or has received~~ benefits paid under s. 49.148 (1) (a) ~~or (b) 2~~. The value of the benefit liable for recovery under this subsection may not exceed the amount that the department paid in wage subsidies with respect to that participant while the participant was ineligible to participate. The department shall promulgate rules establishing policies and procedures for administrating this subsection.

SECTION 1276. 49.161 (2) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.161 **(2)** ~~GRANT–PAYING COMMUNITY~~ COMMUNITY SERVICE JOBS AND TRANSITIONAL PLACEMENTS OVERPAYMENTS. Except as provided in sub. (3), the department shall recover an overpayment of benefits paid under s. 49.148 (1) (b) ~~1. and~~ or (c) from an individual who continues to receive benefits under s. 49.148 (1) (b) ~~1.~~ and (c) by reducing the amount of the individual's benefit payment by no more than 10%.

SECTION 1276f. 49.1635 of the statutes is created to read:

49.1635 Wisconsin Trust Account Foundation. (1) To the extent permitted under federal law and subject to sub. (2), from the appropriation under s. 20.445 (3) (md) the department shall distribute to the Wisconsin Trust Account Foundation an amount equal to the amount received by the foundation from private donations, but not to exceed $100,000 in each fiscal year. Except as provided in sub. (4), funds distributed under this subsection may be used only for the provision of legal services to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et seq. and whose incomes are at or below 200% of the poverty line.

(2) The department may not distribute funds under sub. (1) until the Wisconsin Trust Account Foundation reports to the department the amount received by the Wisconsin Trust Account Foundation in private donations.

(3) If the Wisconsin Trust Account Foundation receives funds under sub. (1), it shall do all of the following:

(a) Develop a separate account for the funds distributed under sub. (1).

(b) Require each organization to which the Wisconsin Trust Account Foundation distributes funds received under sub. (1) to match 100% of the amount distributed to that organization that is attributable to the funds received by the Wisconsin Trust Account Foundation under sub. (1).

(c) Annually, prepare a report for distribution to the joint committee on finance that specifies the organizations that received funding under this section.

(4) Not more than 10% of the total funds received by the Wisconsin Trust Account Foundation may be used for administration.

SECTION 1277. 49.167 of the statutes is created to read:

49.167 Alcohol and other drug abuse treatment grant program. (1) The department shall award grants to counties, tribal governing bodies and private entities to provide community–based alcohol and other drug abuse treatment programs that are targeted at individuals who have a family income of not more than 200% of the poverty line and who are eligible for temporary assistance for

needy families under 42 USC 601 et seq. and that do all of the following:

(a) Meet the special needs of low–income persons with problems resulting from alcohol or other drug abuse.

(b) Emphasize parent education, vocational and housing assistance and coordination with other community programs and with treatment under intensive care.

(2) The department shall do all of the following with respect to the grants under par. (a):

(a) Award the grants in accordance with the department's request–for–proposal procedures.

(b) Ensure that the grants are distributed in both urban and rural communities.

(c) Evaluate the programs under the grants by use of client–outcome measurements that the department develops.

(3) The department shall coordinate the grant program under this section with any similar grant program administered by the department of health and family services.

SECTION 1277g. 49.169 of the statutes is created to read:

Vetoed In Part

49.169 Family literacy grants. (1) In this section, "family literacy training" means literacy training that focuses on interactive literacy activities between parents and their children and that aims at improving the literacy skills of both parents and their children.

Vetoed In Part

(2) The department shall award not more than $1,404,100 in grants to qualified applicants for the provision of family literacy training to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et. seq.

Vetoed In Part

(3) To qualify for a grant under sub. (2), the applicant must be an organization that has a demonstrated history of providing literacy training to adults and children and must fulfill any other criteria developed under sub. (4).

(4) The department, in consultation with the technical college system board, the department of public instruction and the governor's office, shall develop written criteria to be used to evaluate the grant proposals and to allocate the grants under this section among the successful grant applicants.

Vetoed In Part

(5) The department shall require grant recipients to coordinate with the appropriate Wisconsin works agencies to ensure that those participants in Wisconsin works who are served by those Wisconsin works agencies and who need family literacy training receive adequate family literacy training.

SECTION 1277v. 49.173 of the statutes is created to read:

49.173 Workforce attachment. (1) The department shall distribute funds to Wisconsin works agencies and to local workforce development boards established under 29 USC 2832 to provide all of the following to any person who is eligible for the federal temporary assistance to needy families program under 42 USC 601 et. seq.:

(a) Job readiness training and job placement services to unemployed persons.

(b) Basic job skills development to unemployed or recently employed persons.

(c) Services to assist recently employed persons with job retention.

(d) Incumbent worker training to promote job advancement and increased earnings.

(e) Services to employers to assist them in retaining workers and providing workers with position advancement.

(2) (a) The department shall allocate a portion of the amount to be distributed under sub. (1) and shall distribute that portion in equal amounts among all of the Wisconsin works agencies.

(b) The department shall distribute the amount that remains after the distribution under par. (a) to each Wisconsin works agency and local workforce development board based on the criteria specified in sub. (3).

(3) (a) The department shall allocate and distribute funds under sub. (2) (b) to Wisconsin works agencies based on the number of persons in all of the following case categories served by that Wisconsin works agency:

1. Case management.
2. Food stamp employment and training.
3. Diversion, as defined by the department.
4. Noncustodial parents.
5. Child care.

(b) The department shall allocate and distribute to each local workforce development board funds under sub. (2) (b) based on a formula that takes into account all of the following:

1. The percentage of the population of the area served by the local board with an income at or below 200% of the poverty line.
2. Labor force participation.
3. The unemployment rate of the area served by the local board.

(4) The department shall require recipients of the funds distributed under this section to meet performance standards that are based on employment placement for unemployed persons, job retention rates of the persons served by the fund recipients, increased earnings of the persons served by the fund recipients, and increased child support collections for noncustodial parents served by the fund recipients.

SECTION 1278g. 49.175 of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

49.175 Public assistance and local assistance allocations. (1) ALLOCATION OF FUNDS. Within the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em), (jL), (k), (L), (Lm), (mc), (md), (nL),

(pm) and (ps), the department shall allocate the following amounts for the following purposes:

(a) *Wisconsin works benefits.* For Wisconsin works benefits provided under contracts having a term that begins on January 1, 2000, and ends on December 31, 2001, $24,649,800 in fiscal year 1999–2000 and $49,309,600 in fiscal year 2000–01.

(b) *Wisconsin works administration and ancillary services.* For administration of Wisconsin works and program services under Wisconsin works performed under contracts under s. 49.143 having a term that begins on January 1, 2000, and ends on December 31, 2001, $64,216,800 in fiscal year 1999–2000 and $128,433,800 in fiscal year 2000–01.

(c) *Performance bonuses.* For performance bonuses to Wisconsin works agencies that have entered into contracts under s. 49.143 having a term that begins on January 1, 2000, and that ends on December 31, 2001, $3,706,300 in fiscal year 1999–2000 and $7,413,100 in fiscal year 2000–01.

Vetoed In Part

(cr) *Credit assistance.* For payments to Wisconsin works agencies in 1st class cities for the provision of credit establishment and credit repair assistance to Wisconsin works participants, not more than $3,000,000 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.

Vetoed In Part

(d) *County community reinvestment.* For reinvestment of funds into communities under s. 49.179, $2,779,800 in fiscal year 1999–2000 and $5,559,800 in fiscal year 2000–01.

(e) *Initial contracts.* For contracts under s. 49.143 having a term that ends on December 31, 1999, $245,171,800 in fiscal year 1999–2000.

(f) *Wisconsin works agency contingency fund.* For contingency payments to Wisconsin works agencies for program costs, $102,000,000 in the 1999–2001 fiscal biennium, to be distributed under criteria established by the department, except that the department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution.

(g) *State administration of public assistance programs.* For state administration of public assistance programs, $31,831,000 in fiscal year 1999–2000 and $31,783,200 in fiscal year 2000–01.

(h) *Food stamps for legal immigrants.* For food stamp benefits to qualified aliens under s. 49.124 (8), $420,000 in each fiscal year.

(i) *Emergency assistance.* For emergency assistance under s. 49.138, $3,300,000 in each fiscal year.

(j) *Funeral expenses.* For funeral expenses under s. 49.30, $3,300,000 in fiscal year 1999–2000 and $3,925,100 in fiscal year 2000–01.

(m) *Children first.* For services under the work experience program for noncustodial parents under s. 49.36, $1,140,000 in each fiscal year.

(n) *Job access loans.* For job access loans under s. 49.147 (6), $600,000 in each fiscal year.

(o) *Employment skills advancement grants.* For employment skills advancement grants under s. 49.185, $100,000 in each fiscal year.

(p) *Direct child care services.* For direct child care services under s. 49.155, $159,560,000 in fiscal year 1999–2000 and $181,050,000 in fiscal year 2000–01.

(q) *Indirect child care services.* For indirect child care services under s. 49.155 (1g), $11,812,300 in fiscal year 1999–2000 and $11,367,600 in fiscal year 2000–01.

(r) *Early childhood excellence initiative.* For grants under s. 49.1375, $7,500,000 in each fiscal year.

(s) *Start–up funding.* For start–up funding for contracts under s. 49.143 having a term that begins on January 1, 2000, and that ends on December 31, 2001, $3,519,000 in fiscal year 1999–2000. The department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution.

(t) *Wisconsin works contracts in certain counties.* For contracts with persons for oversight of the administrative structure of Wisconsin works, and of Wisconsin works agencies, in counties having a population of 500,000 or more, $1,500,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01.

(u) *Workforce attachment.* For services specified under s. 49.173, $9,700,000 in fiscal year 1999–2000 and $10,000,000 in fiscal year 2000–01. The department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution.

(v) *Transportation assistance.* For transportation assistance under s. 49.157, $200,000 in fiscal year 1999–2000 and $2,000,000 in fiscal year 2000–01.

(w) *Hospital paternity incentives.* For hospital paternity incentive payments under s. 69.14 (1) (cm), $91,900 in each fiscal year.

(x) *Passports for youth program.* For the passports for youth program operated by the YMCA of Metropolitan Milwaukee, $300,000 in fiscal year 1999–2000. The department may not distribute funds under this paragraph if the passports for youth program does not comply with P.L. 104–193, section 103.

(y) *Literacy initiative.* For literacy grants under s. 49.169 and literacy services administered by the governor's office, $1,454,100 in each fiscal year.

(z) *Community youth grant.* For a competitive grant program administered by the department to fund programs that improve social, academic and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., $7,500,000 in each fiscal year.

(zb) *Work–based learning programs for youth.* For work–based learning programs for youth funded from the appropriation under s. 20.445 (7) (kc), $2,969,700 in

fiscal year 1999–2000 and $6,084,500 in fiscal year 2000–01.

(zc) *Fatherhood initiative.* For a grant program to promote fathers' involvement in their children's lives, $75,000 in fiscal year 1999–2000.

(zd) *Alcohol and other drug abuse.* For grants made under s. 49.167 to organizations that provide community–based alcohol and other drug abuse treatment to individuals who are eligible for temporary assistance for needy families under 42 USC 601 et. seq., $1,000,000 in each fiscal year.

(ze) *Programs administered by the department of health and family services.* 1. 'Kinship care and long–term kinship care assistance.' For the kinship care and long–term kinship care programs under s. 48.57 (3m), (3n), (3o) and (3p), $24,530,100 in fiscal year 1999–2000 and $26,164,100 in fiscal year 2000–01. **Vetoed In Part**

2. 'Children of recipients of supplemental security income.' For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, $13,745,200 in fiscal year 1999–2000 and $17,930,000 in fiscal year 2000–01.

3. 'Community aids.' For community aids, $31,800,000 in fiscal year 1999–2000 and $18,086,200 in fiscal year 2000–01.

4. 'Runaway services.' For grants to programs that provide services for runaway children, $150,000 in each fiscal year. **Vetoed In Part**

5. 'Early identification of pregnancy.' For outreach and services under s. 253.085 to low–income pregnant women, $100,000 in each fiscal year.

6. 'Supplemental food program for women, infants and children.' From the appropriation under s. 20.445 (3) (md), for per capita nutritional services and administration funding to local agencies that administer the federal special supplemental food program for women, infants and children under 42 USC 1786 and the state supplemental food program for women, infants and children under s. 253.06, $1,000,000 in each fiscal year.

7. 'Adolescent services and pregnancy prevention programs.' For adolescent services and pregnancy prevention programs under ss. 46.93, 46.99 and 46.995, $1,808,300 in each fiscal year.

8. 'Domestic abuse services grants.' For the domestic abuse services grants under s. 46.95 (2), $975,000 in fiscal year 1999–2000 and $1,000,000 in each fiscal year thereafter.

9. 'Statewide immunization program.' For the statewide immunization program under s. 252.04 (1), $1,000,000 in each fiscal year.

10. 'Community marriage policy project.' For the community marriage policy project under 1999 Wisconsin Act .... (this act), section 9123 (14g), $45,000 in fiscal year 1999–2000 and $60,000 in each fiscal year thereafter.

(zf) *Badger Challenge.* For the Badger Challenge program under s. 21.25, $33,300 in fiscal year 1999–2000 and $83,200 in fiscal year 2000–01.

(zg) *Aid to Milwaukee public schools.* For aid to the school district operating under ch. 119 under ss. 119.72 and 119.82, $1,410,000 in each fiscal year.

(zh) *Earned income tax credit.* 1. 'Taxable year 1998.' For the transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the general fund to reimburse the general fund for earned income tax credits paid for the taxable year that began on January 1, 1998, $48,000,000 in fiscal year 1999–2000.

2. 'Taxable years 1999 and thereafter.' For the transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, $51,000,000 in fiscal year 1999–2000 and $54,000,000 in fiscal year 2000–01.

(zi) *Campaign for a Sustainable Milwaukee.* For the Campaign for a Sustainable Milwaukee, $300,000 in fiscal year 1999–2000. **Vetoed In Part**

(zj) *Head start.* For the transfer of moneys to the department of public instruction for head start agencies, $3,712,500 in each fiscal year.

(zk) *Wisconsin trust account fund.* For the distribution to the Wisconsin trust account fund under s. 49.1635, $100,000 in each fiscal year.

(zL) *English for Southeast Asian children.* To the school board of the Wausau school district for English training for 3–year–old, 4–year–old and 5–year–old Southeast Asian children, $100,000 in each fiscal year.

(zm) *Jobs initiative.* For Milwaukee Jobs Initiative, Inc., $100,000 in each fiscal year. **Vetoed In Part**

(zn) *Child abuse and neglect prevention board.* For the transfer of moneys to the child abuse and neglect prevention board, $340,000 in each fiscal year.

(2) REDISTRIBUTION OF FUNDS. The department may redistribute funds allocated for a purpose specified under any paragraph under sub. (1) to be used for any other purpose specified in any other paragraph under sub. (1) if all of the following conditions are met: **Vetoed In Part**

(a) The secretary of administration approves the redistribution. **Vetoed In Part**

(b) The department submits a request for approval of the redistribution to the joint committee on finance and the cochairpersons of the committee do not, within 14 days of receiving the request, notify the department that the committee has scheduled a meeting for the purpose of reviewing the request. If, within 14 days after receiving the request, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the request, the department may not redistribute funds under sub. (1) except to the extent approved by the committee. **Vetoed In Part**

SECTION 1278t. 49.175 (1) (ze) 10. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1330r. 49.179 of the statutes is created to read:

Vetoed In Part

49.179 County community reinvestment. (1) In this section, "Wisconsin works" has the meaning given in s. 49.141 (1) (p).

(2) Annually, beginning January 1, 2000, the department shall distribute the moneys allocated under s. 49.175 (1) (d) to counties as follows:

Vetoed In Part

(a) To a county in which more than one Wisconsin works agency is located, the department shall distribute an amount equal to 4% of the sum of the amounts for which the department contracted with those Wisconsin works agencies for administration and benefits under Wisconsin works for the year in which the moneys are to be distributed.

Vetoed In Part

(b) To a county in which one Wisconsin works agency is located, the department shall distribute an amount equal to 4% of the amount for which the department contracted with that Wisconsin works agency for administration and benefits under Wisconsin works for the year in which the moneys are to be distributed.

Vetoed In Part

(c) To a county that is one of several counties served by a single Wisconsin works agency, the department shall distribute an amount equal to that county's proportional share, as determined by the department, of an amount equal to 4% of the amount for which the department contracted with that Wisconsin works agency for administration and benefits under Wisconsin works for the year in which the moneys are to be distributed.

(3) Funds distributed under sub. (2) may be used only for community reinvestment projects. The department shall establish by rule criteria for the use of the funds distributed under sub. (2).

Vetoed In Part

Vetoed In Part

(4) In conformity with the criteria established by the department under sub. (3), the county board of supervisors shall determine the use of the funds distributed under sub. (2).

(5) No expenditures from the funds distributed under sub. (2) may be made unless the department first certifies that the expenditures are allowable under the federal temporary assistance for needy families block grant program under 42 USC 601 et. seq.

SECTION 1331. 49.185 (3) (d) of the statutes is amended to read:

49.185 **(3)** (d) The individual has been employed in an unsubsidized job for at least ~~9~~ 6 consecutive months before applying for a grant.

SECTION 1332. 49.185 (3) (i) of the statutes is amended to read:

49.185 **(3)** (i) The individual contributes, or obtains from other sources, an amount at least equal to the amount of the grant, ~~and obtains funding from other sources in an amount at least equal to the amount of the grant,~~ for tuition, books, transportation or other direct costs of the training or education.

SECTION 1333. 49.185 (5) of the statutes is amended to read:

49.185 **(5)** APPLICABILITY. This section applies beginning on ~~the date stated in the notice under s. 49.141 (2) (d), or on~~ November 1, 1997~~, whichever is later~~.

SECTION 1335. 49.19 (11s) (a) of the statutes is amended to read:

49.19 **(11s)** (a) The department shall conduct a demonstration project under this subsection pursuant to a waiver from the secretary of the federal department of health and human services beginning on January 1, 1996. To the extent permitted in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under this section or to a test group of recipients of aid under this section determined by the department. Paragraphs (b) to (d) do not apply to persons who are subject to s. 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in effect and only with respect to recipients covered by the waiver.

SECTION 1336. 49.19 (20) (a) of the statutes is amended to read:

49.19 **(20)** (a) Beginning on January 1, 1999, or beginning on the first day of the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d), 1997 stats., whichever is sooner, no person is eligible to receive benefits under this section and no aid may be granted under this section. No additional notice, other than the enactment of this paragraph, is required to be given under sub. (13) to recipients of aid under this section to terminate their benefits under this paragraph.

SECTION 1337. 49.191 of the statutes is repealed.

SECTION 1338. 49.193 of the statutes is repealed.

SECTION 1339. 49.195 (1) of the statutes is amended to read:

49.195 **(1)** If any parent at the time of receiving aid under s. 49.19 or a benefit under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift, inheritance, sale of assets, court judgment or settlement of any damage claim, or by winning a lottery or prize, the county granting such aid, or the Wisconsin works agency granting such a benefit, may sue the parent on behalf of the department to recover the value of that portion of the aid or of the benefit which does not exceed the amount of the property so acquired. The value of the aid or benefit liable for recovery under this section may not include the value of work performed by a member of the family in a community work experience program under s. 46.215 (1) (o), 1991 stats., s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work experience component under s. 49.193 (6), 1997 stats. 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. The department shall give that person an opportunity for a review following the procedure specified under s. 49.152, if the person received the overpayment under s. 49.141 to 49.161, and 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. The rules shall include notification procedures similar to those established for child support collections. The department may not recover overpayments made as a result of department error.

Vetoed In Part

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 90 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.

(h) If the department arranges a payment schedule with the debtor and the debtor complies with the payment schedule, 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 the 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.

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 1346c. 49.195 (3s) of the statutes is created to read:

49.195 **(3s)** The department shall specify by rule when requests for reviews, hearings and appeals under this section may be made and the process to be used for the reviews, hearings and appeals. In promulgating the rules, the department shall provide for a hearing or review after a warrant under sub. (3m) has been issued and before the warrant has been executed, before property is levied under sub. (3m) or (3n) and after levied property is seized and before it is sold. The department shall specify by rule the time limit for a request for review or hearing. The department shall also specify by rule a minimum amount that must be due before collection proceedings under this section may be commenced.

SECTION 1347. 49.20 of the statutes is repealed.

SECTION 1348. 49.21 of the statutes is repealed.

SECTION 1350m. 49.23 of the statutes is repealed.

SECTION 1352. 49.24 (1) of the statutes, as affected by 1997 Wisconsin Act 27, section 1882n, is amended to read:

49.24 **(1)** From the appropriation under s. 20.445 (3) (k), the department shall provide child support incentive payments to counties ~~to offset reduced federal child support incentive payments~~. Total payments under this subsection may not exceed ~~$3,178,000 in fiscal year 1997–98 or $3,850,000 in fiscal year 1998–99~~ $5,690,000 per year.

SECTION 1352f. 49.24 (2) of the statutes is renumbered 49.24 (2) (a) and amended to read:

49.24 **(2)** (a) The department shall ~~distribute the payments under sub. (1) in accordance with a formula developed by the department~~, in consultation with representatives of counties, promulgate a rule that specifies the formula according to which the payments under sub. (1) and federal child support incentive payments will be distributed to counties. The rule shall provide that the total of state and federal incentive payments per year to a county may not exceed the costs per year of the county's child support program under s. 49.22.

(b) The total of payments made to counties under sub. (1) and in federal child support incentive payments may not exceed ~~$10,500,000 in a state fiscal~~ $12,340,000 per year.

SECTION 1352g. 49.24 (3) of the statutes is amended to read:

49.24 **(3)** A county that receives any state child support incentive payment under sub. (1) or any federal child support incentive payment may use the funds only to pay costs under its child support program under s. 49.22.

SECTION 1353. 49.25 of the statutes is repealed.

SECTION 1354. 49.26 (1) (h) 1. as. of the statutes is amended to read:

49.26 **(1)** (h) 1. as. The individual has failed to request a hearing or has failed to show good cause for not cooperating with case management efforts in a hearing. ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group, as defined in s. 49.141 (1) (s), the~~ The hearing shall be requested and held under s. 49.152. The department shall determine by rule the criteria for good cause.

SECTION 1355. 49.27 of the statutes is repealed.

SECTION 1355w. 49.30 (1) (b) of the statutes is amended to read:

49.30 **(1)** (b) The lesser of ~~$1,000~~ $1,500 or the funeral and burial expenses not paid by the estate of the deceased and other persons.

SECTION 1355wb. 49.30 (1) (b) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read: **Vetoed In Part**

49.30 **(1)** (b) The lesser of ~~$1,500~~ $2,500 or the funeral and burial expenses not paid by the estate of the deceased and other persons.

SECTION 1356. 49.30 (1m) (c) of the statutes is created to read:

49.30 **(1m)** (c) If a request for payment under sub. (1) is made more than 12 months after the death of the recipient, the county or applicable tribal governing body or organization responsible for burial of the recipient is not required to make a payment for cemetery, funeral or burial expenses.

SECTION 1356m. 49.33 (1) (b) of the statutes is amended to read: **Vetoed In Part**

49.33 **(1)** (b) "Income maintenance program" means aid to families with dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161~~, medical assistance under subch. IV of ch. 49~~ or the food stamp program under 7 USC 2011 to 2029.

SECTION 1356n. 49.33 (8) (a) of the statutes is amended to read:

Vetoed In Part

49.33 **(8)** (a) The department shall reimburse each county for reasonable costs of income maintenance relating to the administration of the programs under this subchapter ~~and subch. IV~~ according to a formula based on workload within the limits of available state and federal funds under s. 20.445 (3) (dz), (md) and (nL) by contract under s. 49.33 (2). The amount of reimbursement calculated under this paragraph and par. (b) is in addition to any reimbursement provided to a county for fraud and error reduction under s. 49.197 (1m) and (4).

SECTION 1357. 49.36 (2) of the statutes is amended to read:

49.36 **(2)** The department may contract with any county or Wisconsin works agency to administer a work experience and job training program for parents who are not custodial parents and who fail to pay child support or to meet their children's needs for support as a result of unemployment or underemployment. The program may provide the kinds of work experience and job training services available from the program under s. 49.193, 1997 stats., or s. 49.147 (3) or (4). The program may also include job search and job orientation activities. The department shall fund the program from the appropriation under s. 20.445 (3) (dz).

SECTION 1358. 49.36 (3) (g) of the statutes is repealed.

SECTION 1359. 49.36 (7) of the statutes is amended to read:

49.36 **(7)** The department shall pay a county or Wisconsin works agency ~~$200~~ $400 for each person who participates in the program under this section in the region in which the county or Wisconsin works agency administers the program under this section. The county or Wisconsin works agency shall pay any additional costs of the program.

SECTION 1360. 49.37 of the statutes is repealed.

SECTION 1361. 49.43 (8) of the statutes is amended to read:

49.43 **(8)** "Medical assistance" means any services or items under ss. 49.45 to ~~49.47~~ 49.472, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or reimbursement made for such services or items.

Vetoed In Part

SECTION 1361v. 49.45 (2) (a) 3. of the statutes is amended to read:

49.45 **(2)** (a) 3. Determine the eligibility of persons for medical assistance, rehabilitative and social services under ss. 49.46, 49.468 and 49.47 and rules and policies adopted by the department and may designate this function to the county department under s. 46.215, 46.22 or 46.23 or, to the extent permitted by federal law or a waiver from federal secretary of health and human services, to a Wisconsin works agency. Any person who determines eligibility for medical assistance in a location other than in an office of the department or of a county department of human services or of social services shall be permitted to review and update information on existing records of an individual who is seeking from that person an eligibility determination for medical assistance, even if the individual's case was assigned to a different person as a result of the individual's seeking or receiving other public assistance.

Vetoed In Part

SECTION 1362. 49.45 (2) (a) 4. of the statutes is amended to read:

49.45 **(2)** (a) 4. To the extent funds are available under s. 20.435 ~~(1)~~ (4) (bm), certify all proper charges and claims for administrative services to the department of administration for payment and the department of administration shall draw its warrant forthwith.

SECTION 1371. 49.45 (2) (a) 17. of the statutes is amended to read:

49.45 **(2)** (a) 17. Notify the governor, the joint committee on legislative organization, the joint committee on finance and appropriate standing committees, as determined by the presiding officer of each house, if the appropriation under s. 20.435 ~~(5)~~ (4) (b) is insufficient to provide the state share of medical assistance.

Vetoed In Part

SECTION 1373v. 49.45 (3) (a) of the statutes is amended to read:

49.45 **(3)** (a) Reimbursement shall be made to each county department under ss. 46.215, 46.22 and 46.23 for the administrative services performed in the medical assistance program ~~on the basis of s. 49.33 (8)~~ according to a formula based on workload. For purposes of reimbursement under this paragraph, assessments completed under s. 46.27 (6) (a) are administrative services performed in the medical assistance program.

SECTION 1374. 49.45 (3) (ag) of the statutes is amended to read:

49.45 **(3)** (ag) Reimbursement shall be made to each entity contracted with under s. ~~46.271 (2m)~~ 46.281 (1) (d) for ~~assessments completed~~ functional screens performed under s. ~~46.271 (2m) (a) 2.~~ 46.281 (1) (d).

SECTION 1375. 49.45 (3) (am) 1. of the statutes is amended to read:

49.45 **(3)** (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the department shall make incentive payments to counties to encourage counties to identify medical assistance applicants and recipients who have other health care coverage and the providers of the health care coverage and give that information to the department.

SECTION 1376m. 49.45 (3) (fm) of the statutes is created to read:

49.45 **(3)** (fm) The department shall seek, on behalf of dentists who are providers, federal reimbursement for the cost of any equipment that the department requires dentists to use to verify medical assistance eligibility electronically. If the department is successful in obtaining federal reimbursement of that expense, the department shall reimburse dentists who are providers for the portion of the cost of the equipment that is reimbursed by the federal government.

SECTION 1381. 49.45 (3) (j) of the statutes is amended to read:

49.45 **(3)** (j) Reimbursement for administrative contract costs under this section is limited to the funds available under s. 20.435 ~~(1)~~ (4) (bm).

SECTION 1382. 49.45 (5m) (a) of the statutes is renumbered 49.45 (5m) (am) and amended to read:

49.45 **(5m)** (am) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than $2,256,000 in each fiscal year, to provide supplemental funds to rural hospitals that, as determined by the department, have high utilization of inpatient services by patients whose care is provided from governmental sources, and to provide supplemental funds to critical access hospitals, except that the department may not distribute funds to a rural hospital or to a critical access hospital to the extent that the distribution would exceed any limitation under 42 USC 1396b (i) (3).

SECTION 1383. 49.45 (5m) (ag) of the statutes is created to read:

49.45 **(5m)** (ag) In this subsection, "critical access hospital" has the meaning given in s. 50.33 (1g).

SECTION 1384. 49.45 (5m) (b) of the statutes is amended to read:

49.45 **(5m)** (b) The supplemental funding for rural hospitals under par. ~~(a)~~ (am) shall be based on the utilization, by recipients of medical assistance, of the total inpatient days of a rural hospital in relation to that utilization in other rural hospitals.

SECTION 1384g. 49.45 (5r) of the statutes is created to read:

49.45 **(5r)** SUPPLEMENTAL PAYMENTS FOR HOSPITALS. From the appropriations under s. 20.435 (4) (b) and (o), the department shall distribute not more than $2,451,000 in each fiscal year, beginning on July 1, 2000, as a supplemental payment to a hospital for which medical assistance revenues were at least 8% of the hospital's total revenues in the hospital's most recent fiscal year prior to the year of payment. The department shall calculate a qualifying hospital's supplemental payment amount by multiplying the total amount of medical assistance revenues of all qualifying hospitals in their most recent prior fiscal years by the percentage obtained by dividing the hospital's total medical assistance revenues in the hospital's most recent prior fiscal year by the total amount of medical assistance revenues for all qualifying hospitals for that period.

Vetoed In Part **Vetoed In Part** **Vetoed In Part** **Vetoed In Part**

SECTION 1385. 49.45 (6b) (intro.) of the statutes is renumbered 49.45 (6b) and amended to read:

49.45 **(6b)** CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of services provided by the centers for the developmentally disabled. Reimbursement to the centers for the developmentally disabled shall be reduced following each placement made under s. 46.275 ~~which~~ that involves a relocation from a center for the developmentally disabled, ~~as follows:~~ by $184 per day, beginning in fiscal year 1999–2000, and by $190 per day, beginning in fiscal year 2000–01.

SECTION 1386. 49.45 (6b) (a) of the statutes is repealed.

SECTION 1387. 49.45 (6b) (b) of the statutes is repealed.

SECTION 1388. 49.45 (6b) (c) of the statutes is repealed.

SECTION 1389. 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this subsection made under s. 20.435 ~~(1) (p) or (5) (b)~~ (4) (b), (pa) or (o) shall, except as provided in pars. (bg), (bm) and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement standards that are necessary and proper for providing patient care and that meet quality and safety standards established under subch. II of ch. 50 and ch. 150. The payment system shall reflect all of the following:

SECTION 1390b. 49.45 (6m) (ag) 3m. of the statutes is amended to read:

49.45 **(6m)** (ag) 3m. For state fiscal year ~~1997–98~~ 1999–2000, rates that shall be set by the department based on information from cost reports for the ~~1996~~ 1998 fiscal year of the facility and for state fiscal year ~~1998–99~~ 2000–01, rates that shall be set by the department based on information from cost reports for the ~~1997~~ 1999 fiscal year of the facility.

SECTION 1391. 49.45 (6m) (ag) 8. of the statutes is repealed.

SECTION 1392. 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of allowable direct care costs, for facilities that do not primarily serve the developmentally disabled, that ~~are not less than the median for~~ take into account direct care costs for a sample of all of those facilities in this state and separate standards for payment of allowable direct care costs, for facilities that primarily serve the developmentally disabled, that ~~are not less than the median for~~ take into account direct care costs for a sample of all of those facilities in this state. The standards shall be adjusted by the department for regional labor cost variations.

SECTION 1393. 49.45 (6m) (ar) 1. cm. of the statutes is amended to read:

49.45 **(6m)** (ar) 1. cm. ~~Notwithstanding the limitations under par. (ag) 8., funding~~ Funding distributed to facilities for the provision of active treatment to residents with a diagnosis of developmental disability shall be distributed in accordance with a method developed by the

department which is consistent with a prudent buyer approach to payment for services.

SECTION 1394. 49.45 (6m) (ar) 2. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 2. a. The department shall establish one or more standards for the payment of support service costs that ~~are not less than the median of~~ take into account support service costs for a sample of all facilities within the state.

SECTION 1395. 49.45 (6m) (ar) 3. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 3. a. The department shall establish standards, adjusted for heating degree day variations in the state, for payment of fuel and utility costs that ~~are not less than the median of~~ take into account heating fuel and utility costs for a sample of all facilities within the state.

SECTION 1396. 49.45 (6m) (ar) 4. of the statutes is amended to read:

49.45 **(6m)** (ar) 4. For net property taxes or municipal services, payment shall be made for ~~those costs that range from~~ the amount of the previous calendar year's tax or the amount of municipal service costs for a period specified by the department, subject to a maximum limit as determined by the department.

SECTION 1397. 49.45 (6m) (ar) 5. a. of the statutes is amended to read:

49.45 **(6m)** (ar) 5. a. The department shall establish one or more standards for the payment of administrative and general costs that ~~are not less than the median of~~ take into account administrative and general costs for a sample of all facilities within the state.

SECTION 1398. 49.45 (6m) (ar) 6. of the statutes is amended to read:

49.45 **(6m)** (ar) 6. Capital payment shall be based on a replacement value for a facility. The replacement value shall be determined by a commercial estimator contracted for by the department and paid for by the facility. The replacement value shall be subject to limitations determined by the department~~, except that the department may not reduce final capital payment of a facility by more than $3.50 per patient day~~.

SECTION 1399. 49.45 (6m) (av) 1. of the statutes is amended to read:

49.45 **(6m)** (av) 1. The department shall calculate a payment rate for a facility by applying the criteria set forth under pars. (ag) 1. to 5.~~,~~ and 7. ~~and 8.~~, (am) 1. to 5. and (ar) 1. to 5. to information from cost reports submitted by the facility.

SECTION 1400. 49.45 (6m) (av) 5m. of the statutes is amended to read:

49.45 **(6m)** (av) 5m. ~~Notwithstanding the limitations under par. (ag) 8., the~~ The rate under subd. 1., 4. or 5. may be adjusted by the department to reflect payments for the provision of active treatment to facility residents with a diagnosis of developmental disability.

SECTION 1401. 49.45 (6m) (bp) (intro.) of the statutes is amended to read:

49.45 **(6m)** (bp) (intro.) Notwithstanding pars. ~~(ag) 3m.,~~ (am) 6. and (ar) 6., the department may establish payment methods based on actual costs for capital payment for a facility to which, after December 31, 1982, any of the following applies:

SECTION 1402. 49.45 (6m) (br) 1. of the statutes is amended to read:

49.45 **(6m)** (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 ~~(5)~~ (4) (bt) ~~or (bu)~~ or (7) (b) or 20.445 (3) (dz), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.435 ~~(5)~~ (4) (bt) ~~or (bu)~~ or (7) (b), or the department shall direct the department of workforce development to reduce allocations of funds to counties or Wisconsin works agencies in the amount of the disallowance from the appropriation account under s. 20.445 (3) (dz) or direct the department of corrections to reduce allocations of funds to counties in the amount of the disallowance from the appropriation account under s. 20.410 (3) (cd), in accordance with s. 16.544 to the extent applicable.

SECTION 1403. 49.45 (6m) (c) 5. of the statutes is amended to read:

49.45 **(6m)** (c) 5. Admit only patients assessed or who waive or are exempt from the requirement of assessment under s. 46.27 (6) (a) or, if required under s. 50.035 (4n) or 50.04 (2h), who have been referred to a resource center.

SECTION 1404. 49.45 (6t) (intro.) of the statutes is amended to read:

49.45 **(6t)** COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42 or by a local health department, as defined in s. 250.01 (4), for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management services under s. 49.46 (2) (b) 12. and for mental health day treatment services for minors provided under the authorization under 42 USC 1396d (r) (5), the department shall allocate up to $4,500,000 in each fiscal year to these county departments, or local health departments as determined by the department, and shall perform all of the following:

SECTION 1405. 49.45 (6t) (d) of the statutes is amended to read:

49.45 **(6t)** (d) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal

medicaid funds under par. (c), reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

SECTION 1406. 49.45 (6u) (intro.) of the statutes is amended to read:

49.45 **(6u)** SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.) Notwithstanding sub. (6m), from the appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a facility, as defined under sub. (6m) (a) 3., that is established under s. 49.70 (1) or that is owned and operated by a city, village or town, the department may not distribute to these facilities more than $38,600,000 in each fiscal year, as determined by the department, except that the department shall also distribute for this same purpose from the appropriation under s. 20.435 ~~(5)~~ (4) (o) any additional federal medical assistance moneys that were not anticipated before enactment of the biennial budget act or other legislation affecting s. 20.435 ~~(5)~~ (4) (o) ~~and that were not used to fund nursing home rate increases under sub. (6m) (ag) 8~~. The total amount that a county certifies under this subsection may not exceed 100% of otherwise–unreimbursed care. In distributing funds under this subsection, the department shall perform all of the following:

SECTION 1407. 49.45 (6u) (d) of the statutes is amended to read:

49.45 **(6u)** (d) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection, allocate not more than the lesser amount so approved by the federal department of health and human services.

SECTION 1408. 49.45 (6u) (e) of the statutes is amended to read:

49.45 **(6u)** (e) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection, submit a revision of the method developed under par. (b) for approval by the joint committee on finance in that state fiscal year.

SECTION 1409. 49.45 (6v) (b) of the statutes is amended to read:

49.45 **(6v)** (b) The department shall, each year, submit to the joint committee on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that provides information on the utilization of beds by recipients of medical assistance in facilities and a discussion and detailed projection of the likely balances, expenditures, encumbrances and carry over of currently appropriated amounts in the appropriation accounts under s. 20.435 (4) (b) and (o).

SECTION 1410. 49.45 (6v) (c) of the statutes is amended to read:

49.45 **(6v)** (c) If the report specified in par. (b) indicates that utilization of beds by recipients of medical assistance in facilities ~~decreased~~ is less than estimates for that utilization reflected in the intentions of the joint committee on finance, legislature and governor, as expressed by them in the budget determinations, the department shall include a proposal to transfer moneys from the appropriation under s. 20.435 ~~(5)~~ (4) (b) to the appropriation under s. 20.435 (7) (bd) for the purpose of increasing funding for the community options program under s. 46.27. The amount proposed for transfer may not reduce the balance in the appropriation account under s. 20.435 (4) (b) below an amount necessary to ensure that that appropriation account will end the current fiscal year or the current fiscal biennium with a positive balance. The secretary shall transfer the amount identified under the proposal.

SECTION 1411. 49.45 (6w) (intro.) of the statutes is amended to read:

49.45 **(6w)** HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a hospital, as defined under s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or owned and operated by a city or village, the department shall allocate up to $3,300,000 in each fiscal year to these hospitals, as determined by the department, and shall perform all of the following:

SECTION 1412. 49.45 (6w) (d) of the statutes is amended to read:

49.45 **(6w)** (d) If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (c), reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

SECTION 1413. 49.45 (6x) (a) of the statutes is amended to read:

49.45 **(6x)** (a) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than $4,748,000 in each fiscal year, to provide funds to an essential access city hospital, except that the department may not allocate funds to an essential access city hospital to the extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

SECTION 1414. 49.45 (6x) (d) of the statutes is amended to read:

49.45 **(6x)** (d) If the federal department of health and human services approves for state expenditure in any state fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result in a lesser distribution amount than that distributed under this subsection or disallows use of federal medic-

aid 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 1418m. 49.45 (7) (a) of the statutes is amended to read:

49.45 **(7)** (a) A recipient who is a patient in a public medical institution or an accommodated person and has a monthly income exceeding the payment rates established under 42 USC 1382 (e) may retain ~~$40~~ $45 unearned income or the amount of any pension paid under 38 USC 3203 (f), whichever is greater, per month for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply income in excess of ~~$40~~ $45 or the amount of any pension paid under 38 USC 3203 (f), whichever is greater, less any amount deducted under rules promulgated by the department, toward the cost of care in the facility.

SECTION 1419. 49.45 (8) (b) of the statutes is amended to read:

49.45 **(8)** (b) Reimbursement under s. 20.435 ~~(5)~~ (4) (b) and (o) for home health services provided by a certified home health agency or independent nurse shall be made at the home health agency's or nurse's usual and customary fee per patient care visit, subject to a maximum allowable fee per patient care visit that is established under par. (c).

SECTION 1424m. 49.45 (22) of the statutes is amended to read:

49.45 **(22)** MEDICAL ASSISTANCE SERVICES PROVIDED BY HEALTH MAINTENANCE ORGANIZATIONS. If the department contracts with health maintenance organizations for the provision of medical assistance it shall give special consideration to health maintenance organizations that provide or that contract to provide comprehensive, specialized health care services to pregnant teenagers. If the department contracts with health maintenance organizations for the provision of medical assistance, the department shall determine which medical assistance recipients who have attained the age of 2 but have not attained the age of 6 and who are at risk for lead poisoning have not received lead screening from those health maintenance organizations. The department shall report annually to the appropriate standing committees of the legislature under s. 13.172 (3) on the percentage of medical assistance recipients under the age of 2 who received a lead screening test in that year provided by a health maintenance organization compared with the percentage that the department set as a goal for that year.

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 1427g. 49.45 (39) (a) 1. of the statutes is amended to read:

49.45 **(39)** (a) 1. "School" means a public school described under s. 115.01 (1) ~~or~~, a charter school, as defined in s. 115.001 (1), the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf. It includes school–operated early childhood programs for developmentally delayed and disabled 4–year–old and 5–year–old children.

SECTION 1427h. 49.45 (39) (am) of the statutes is amended to read:

49.45 **(39)** (am) *Plan amendment.* No later than September 30, 1995, the department shall submit to the federal department of health and human services an amendment to the state medical assistance plan to permit the application of pars. (b) ~~to~~ and (c). If the amendment to the state plan is approved, school districts ~~and~~, cooperative educational service agencies and the department of public instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf claim reimbursement under pars. (b) ~~to~~ and (c). Paragraphs (b) ~~to~~ and (c) do not apply unless the amendment to the state plan is approved and in effect. The department shall submit to the federal department of health and human services an amendment to the state plan if necessary to permit the application of pars. (b) and (c) to the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf.

SECTION 1427i. 49.45 (39) (b) of the statutes is renumbered 49.45 (39) (b) 1. and amended to read:

49.45 **(39)** (b) 1. 'Payment for school medical services.' If a school district or a cooperative educational service agency elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the school district or the cooperative educational service agency for 60% of the federal share of allowable charges for the school medical services that it provides and, as specified in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf elects to provide school medical services and meets all requirements under par. (c), the department shall reimburse the department of public instruction for 60% of the federal share of allowable charges for the school medical services that the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf provides and, as specified in subd. 2., for allowable administrative costs. A school district, cooperative educational service agency, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf may submit, and the department shall allow, claims for common carrier transportation costs as a school medical service unless the department receives notice from the federal health care financing administration that, under a change in federal policy, the claims are not allowed. If the department receives the notice, a school district, cooperative educational service agency, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf may submit, and the department shall allow, unreimbursed claims for common carrier transportation costs incurred before the date of the change in federal policy. The department shall promulgate rules establishing a methodology for making reimbursements under this paragraph. All other expenses for the school medical services provided by a school district or a cooperative educational service agency shall be paid for by the school district or the cooperative educational service agency with funds received from state or local taxes. The school district, the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin School for the Deaf or the cooperative educational service agency shall comply with all requirements of the federal department of health and human services for receiving federal financial participation.

SECTION 1427j. 49.45 (39) (b) 2. of the statutes is created to read:

49.45 **(39)** (b) 2. 'Payment for school medical services administrative costs.' The department shall reimburse a school district or a cooperative educational service agency specified under subd. 1. and shall reimburse the department of public instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf for 90% of the federal share of allowable administrative costs, on a quarterly basis, using time studies, beginning in the first quarter of fiscal year 1999–2000. A school district or a cooperative education service agency may submit, and the department of health and family services shall allow, claims for administrative costs incurred during the period that is up to 24 months before the date of the claim, if allowable under federal law. **Vetoed In Part**

SECTION 1428. 49.45 (46) of the statutes is created to read:

49.45 **(46)** ALCOHOL AND OTHER DRUG ABUSE RESIDENTIAL TREATMENT SERVICES. (a) If a county, city, town or village elects to become certified as a provider of alcohol and other drug abuse residential treatment services or to contract with a certified provider to provide the services, the county, city, town or village may provide directly or under contract alcohol and other drug abuse residential treatment services in facilities with fewer than 16 beds under this subsection in the county, city, town or village to medical assistance recipients through the medical assistance program. A county, city, town or village that elects to provide or to contract for the services shall pay the amount of the allowable charges for the services under the medical assistance program that is not provided by the federal government. The department shall reimburse the county, city, town or village under this subsection only for the amount of the allowable charges for those services under the medical assistance program that is provided by the federal government.

(b) This subsection does not apply after July 1, 2003.

SECTION 1429. 49.45 (47) of the statutes is created to read:

49.45 **(47)** ADULT DAY CARE CENTERS. (a) In this subsection, "adult day care center" means an entity that provides services for part of a day in a group setting to adults who need an enriched health–supportive or social experience and who may need assistance with activities of daily living, supervision or protection.

(b) No person may receive reimbursement under s. 46.27 (11) for the provision of services to clients in an adult day care center unless the adult day care center is certified by the department under sub. (2) (a) 11. as a provider of medical assistance.

(c) The biennial fee for the certification required under par. (b) of an adult day care center is $89, plus a biennial fee of $17.80 per client, based on the number of clients that the adult day care center is certified to serve. Fees collected under this paragraph shall be credited to the appropriation account under s. 20.435 (6) (jm).

(d) The department, by rule, may increase any fee specified in par. (c).

SECTION 1430. 49.453 (4) (title) of the statutes is amended to read:

49.453 **(4)** (title) IRREVOCABLE ANNUITIES, PROMISSORY NOTES AND SIMILAR TRANSFERS.

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, or transfers assets by promissory note or similar instrument, 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. a. The periodic payments back to the transferor include principal and interest that, at the time that the transfer is made, is at least at one of the following:

a. For an annuity, promissory note or similar instrument that is not specified under subd. 1. b. or par. (am), the applicable federal rate required under section 1274 (d) of the Internal Revenue Code, as defined in s. 71.01 (6).

b. For an annuity with a guaranteed life payment, the appropriate average of the applicable federal rates based on the expected length of the annuity minus 1.5%.

2. The terms of the instrument provide for a payment schedule that includes equal periodic payments, except that payments may be unequal if the interest payments are tied to an interest rate and the inequality is caused exclusively by fluctuations in that rate.

SECTION 1432g. 49.453 (4) (am) of the statutes is created to read:

49.453 **(4)** (am) Paragraph (a) 1. does not apply to a variable annuity that is tied to a mutual fund that is registered with the federal securities and exchange commission.

SECTION 1433. 49.453 (4) (c) of the statutes is amended to read:

49.453 **(4)** (c) The department shall promulgate rules specifying the method to be used in calculating the expected value of the benefit, based on 26 CFR 1.72–1 to 1.72–18, and specifying the criteria for adjusting the expected value of the benefit based on a medical condition diagnosed by a physician before the assets were transferred to the annuity, or transferred by promissory note or similar instrument. In calculating the amount of the divestment when a transfer to an annuity, or a transfer by promissory note or similar instrument, is made, payments made to the transferor in any year subsequent to the year in which the transfer was made shall be discounted to the year in which the transfer was made by the applicable federal rate specified under par. (a) on the date of the transfer.

SECTION 1433t. 49.46 (1) (a) 1m. of the statutes is amended to read: **Vetoed In Part**

49.46 **(1)** (a) 1m. Any pregnant woman who meets the ~~resource and~~ income limits under s. 49.19 (4) ~~(bm) and~~ (es) and whose pregnancy is medically verified. Eligibility continues to the last day of the month in which the 60th day after the last day of the pregnancy falls.

SECTION 1433tm. 49.46 (1) (a) 6. of the statutes is amended to read:

49.46 **(1)** (a) 6. Any person not described in pars. (c) to (e) who ~~is~~, without regard to the individual's resources, would be considered, under federal law, to be receiving aid to families with dependent children for the purpose of determining eligibility for medical assistance.

SECTION 1433u. 49.46 (1) (a) 12. of the statutes is amended to read:

49.46 **(1)** (a) 12. Any child not described under subd. 1. who is under 19 years of age and who meets the ~~resource and~~ income limits under s. 49.19 (4) (es).

SECTION 1433v. 49.46 (1) (a) 14m. of the statutes is created to read:

49.46 **(1)** (a) 14m. Any person who would meet the financial and other eligibility requirements for home or community–based services under the family care benefit but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3), if a waiver under s. 46.281 (1) (c) is in effect or federal law permits federal financial participation for medical assistance coverage of the person and if funding is available for the person under the family care benefit.

Vetoed In Part

SECTION 1433x. 49.46 (1) (a) 16. of the statutes is amended to read:

49.46 **(1)** (a) 16. Any ~~child~~ person who is living with a relative who is eligible to receive payments under s. 48.57 (3m) ~~or,~~ (3n) or (3o) with respect to that ~~child~~ person, if the department determines that no other insurance is available to the ~~child~~ person.

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) 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) 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 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

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.

Vetoed In Part

SECTION 1437m. 49.47 (4) (a) 1. of the statutes is amended to read:

49.47 **(4)** (a) 1. ~~Under 18~~ At least 19 years of age but under 21 years of age ~~or, if~~ and the person resides in an intermediate care facility, skilled nursing facility or inpatient psychiatric hospital~~, under 21 years of age~~.

SECTION 1437n. 49.47 (4) (a) 2. of the statutes is renumbered 49.47 (4) (ag) 2.

SECTION 1437p. 49.47 (4) (ag) (intro.) of the statutes is created to read:

49.47 **(4)** (ag) (intro.) Any individual who meets the limitations on income under par. (c) and who complies with par. (cm) shall be eligible for medical assistance under this section if such individual is:

SECTION 1437q. 49.47 (4) (ag) 1. of the statutes is created to read:

49.47 **(4)** (ag) 1. Under the age of 19.

SECTION 1438. 49.47 (4) (as) 1. of the statutes is amended to read:

49.47 **(4)** (as) 1. The person would meet the financial and other eligibility requirements for home or community–based services under s. 46.27 (11) or 46.277 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c) but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3).

SECTION 1439. 49.47 (4) (as) 3. of the statutes is amended to read:

49.47 **(4)** (as) 3. Funding is available for the person under s. 46.27 (11) or 46.277 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

Vetoed In Part

SECTION 1439g. 49.47 (4) (b) 2m. a. of the statutes is amended to read:

49.47 **(4)** (b) 2m. a. For persons who are eligible under par. (a) 1. ~~or 2.~~, one vehicle is exempt from consideration as an asset. A 2nd vehicle is exempt from consideration as an asset only if the department determines that it is necessary for the purpose of employment or to obtain medical care. The equity value of any nonexempt vehicles owned by the applicant is an asset for the purposes of determining eligibility for medical assistance under this section.

SECTION 1439m. 49.47 (4) (cm) 3. of the statutes is created to read:

49.47 **(4)** (cm) 3. An individual who is otherwise eligible under this subsection and who has set aside funds in an irrevocable burial trust under s. 445.125 (1) (a) 2. shall, as a condition of eligibility for medical assistance, specify the state as a secondary beneficiary of the trust with respect to all funds in the trust that exceed the burial costs but do not exceed the amount of medical assistance paid on behalf of the individual.

Vetoed In Part

SECTION 1439q. 49.47 (6) (a) 7. of the statutes is amended to read:

49.47 **(6)** (a) 7. Beneficiaries eligible under sub. (4) ~~(a) 2.~~ (ag) 2. or (am) 1., for services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum services and family planning services, as defined in s. 253.07 (1) (b), or related to other conditions which may complicate pregnancy.

SECTION 1440. 49.472 of the statutes is created to read:

49.472 Medical assistance purchase plan. (1) DEFINITIONS. In this section:

(a) "Earned income" has the meaning given in 42 USC 1382a (a) (1).

(am) "Family" means an individual, the individual's spouse and any dependent child, as defined in s. 49.141 (1) (c), of the individual.

(b) "Health insurance" means surgical, medical, hospital, major medical or other health service coverage, including a self–insured health plan, but does not include hospital indemnity policies or ancillary coverages such as income continuation, loss of time or accident benefits.

(c) "Independence account" means an account approved by the department that consists solely of savings, and dividends or other gains derived from those savings, from income earned from paid employment after

the initial date that an individual began receiving medical assistance under this section.

(d) "Medical assistance purchase plan" means medical assistance, eligibility for which is determined under this section.

(e) "Unearned income" has the meaning given in 42 USC 1382a (a) (2).

(2) WAIVERS AND AMENDMENTS. The department shall submit to the federal department of health and human services an amendment to the state medical assistance plan, and shall request any necessary waivers from the secretary of the federal department of health and human services, to permit the department to expand medical assistance eligibility as provided in this section. If the state plan amendment and all necessary waivers are approved and in effect, the department shall implement the medical assistance eligibility expansion under this section not later than January 1, 2000, or 3 months after full federal approval, whichever is later.

(3) ELIGIBILITY. Except as provided in sub. (6) (a), an individual is eligible for and shall receive medical assistance under this section if all of the following conditions are met:

(a) The individual's family's net income is less than 250% of the poverty line for a family the size of the individual's family. In calculating the net income, the department shall apply all of the exclusions specified under 42 USC 1382a (b).

(b) The individual's assets do not exceed $15,000. In determining assets, the department may not include assets that are excluded from the resource calculation under 42 USC 1382b (a) or assets accumulated in an independence account. The department may exclude, in whole or in part, the value of a vehicle used by the individual for transportation to paid employment.

(c) The individual would be eligible for supplemental security income for purposes of receiving medical assistance but for evidence of work, attainment of the substantial gainful activity level, earned income and unearned income in excess of the limit established under 42 USC 1396d (q) (2) (B) and (D).

(e) The individual is legally able to work in all employment settings without a permit under s. 103.70.

(f) The individual maintains premium payments calculated by the department in accordance with sub. (4), unless the individual is exempted from premium payments under sub. (4) (b) or (5).

(g) The individual is engaged in gainful employment or is participating in a program that is certified by the department to provide health and employment services that are aimed at helping the individual achieve employment goals.

(h) The individual meets all other requirements established by the department by rule.

(4) PREMIUMS. (a) Except as provided in par. (b) and sub. (5), an individual who is eligible for medical assistance under sub. (3) and receives medical assistance shall pay a monthly premium to the department. The department shall establish the monthly premiums by rule in accordance with the following guidelines:

1. The premium for any individual may not exceed the sum of the following:

a. Three and one–half percent of the individual's earned income after the disregards specified in subd. 2m.

b. One hundred percent of the individual's unearned income after the deductions specified in subd. 2.

2. In determining an individual's unearned income under subd. 1., the department shall disregard all of the following:

a. A maintenance allowance established by the department by rule. The maintenance allowance may not be less than the sum of $20, the federal supplemental security income payment level determined under 42 USC 1382 (b) and the state supplemental payment determined under s. 49.77 (2m).

b. Medical and remedial expenses and impairment–related work expenses.

2m. If the disregards under subd. 2. exceed the unearned income against which they are applied, the department shall disregard the remainder in calculating the individual's earned income.

3. The department may reduce the premium by 25% for an individual who is covered by private health insurance.

(b) The department may waive monthly premiums that are calculated to be below $10 per month. The department may not assess a monthly premium for any individual whose income level, after adding the individual's earned income and unearned income, is below 150% of the poverty line.

(5) COMMUNITY OPTIONS PARTICIPANTS. From the appropriation under s. 20.435 (7) (bd), the department may pay all or a portion of the monthly premium calculated under sub. (4) (a) for an individual who is a participant in the community options program under s. 46.27 (11).

(6) INSURED PERSONS. (a) Notwithstanding sub. (4) (a) 3., from the appropriation under s. 20.435 (4) (b), the department shall, on the part of an individual who is eligible for medical assistance under sub. (3), pay premiums for or purchase individual coverage offered by the individual's employer if the department determines that paying the premiums for or purchasing the coverage will not be more costly than providing medical assistance.

(b) If federal financial participation is available, from the appropriation under s. 20.435 (4) (b), the department may pay medicare Part A and Part B premiums for individuals who are eligible for medicare and for medical assistance under sub. (3).

(7) DEPARTMENT DUTIES. The department shall do all of the following:

(a) Determine eligibility, or contract with a county department, as defined in 49.45 (6c) (a) 3., or with a tribal governing body to determine eligibility, of individuals for the medical assistance purchase plan in accordance with sub. (3).

(b) Ensure, to the extent practicable, continuity of care for a medical assistance recipient under this section who is engaged in paid employment, or is enrolled in a home–based or community–based waiver program under section 1915 (c) of the Social Security Act, and who becomes ineligible for medical assistance.

SECTION 1441. 49.475 (5) of the statutes is amended to read:

49.475 **(5)** REIMBURSEMENT OF COSTS. From the appropriations under s. 20.435 ~~(1)~~ (4) (bm) and ~~(p)~~ (pa), the department shall reimburse an insurer that provides information under this section for the insurer's reasonable costs incurred in providing the requested information, including its reasonable costs, if any, to develop and operate automated systems specifically for the disclosure of information under this section.

SECTION 1441g. 49.48 (1) of the statutes is amended to read:

49.48 **(1)** ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, as a condition of issuing or renewing a certification under s. 49.45 (2) (a) 11. as an eligible provider of services.

SECTION 1441h. 49.48 (1m) of the statutes is created to read:

49.48 **(1m)** If an individual who applies for or to renew a certification under sub. (1) does not have a social security number, the individual, as a condition of obtaining the certification, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certification issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 1444. 49.496 (2) (title) of the statutes is amended to read:

49.496 **(2)** (title) LIENS ON THE HOMES OF NURSING HOME RESIDENTS AND INPATIENTS AT HOSPITALS.

SECTION 1445. 49.496 (2) (a) of the statutes is amended to read:

49.496 **(2)** (a) Except as provided in par. (b), the department may obtain a lien on a recipient's home if the recipient resides in a nursing home, or if the recipient resides in a hospital and is required to contribute to the cost of care, and the recipient cannot reasonably be expected to be discharged from the nursing home or hospital and return home. The lien is for the amount of medical assistance paid on behalf of the recipient ~~while the recipient resides in a nursing home~~ that is recoverable under sub. (3) (a).

SECTION 1446. 49.496 (2) (b) 3. of the statutes is amended to read:

49.496 **(2)** (b) 3. The recipient's sibling who has an ownership interest in the home and who has lived in the home continuously beginning at least 12 months before the recipient was admitted to the nursing home or hospital.

SECTION 1447. 49.496 (2) (c) 1. of the statutes is amended to read:

49.496 **(2)** (c) 1. Notify the recipient in writing of its determination that the recipient cannot reasonably be expected to be discharged from the nursing home or hospital, its intent to impose a lien on the recipient's home and the recipient's right to a hearing on whether the requirements for the imposition of a lien are satisfied.

SECTION 1448. 49.496 (2) (f) 3. of the statutes is amended to read:

49.496 **(2)** (f) 3. A child of any age who resides in the home, if that child resided in the home for at least 24 months before the recipient was admitted to the nursing home or hospital and provided care to the recipient that delayed the recipient's admission to the nursing home or hospital.

SECTION 1449. 49.496 (2) (f) 4. of the statutes is amended to read:

49.496 **(2)** (f) 4. A sibling who resides in the home, if the sibling resided in the home for at least 12 months before the recipient was admitted to the nursing home or hospital.

SECTION 1450. 49.496 (2) (h) of the statutes is amended to read:

49.496 **(2)** (h) The department shall file a release of a lien imposed under this subsection if the recipient is discharged from the nursing home or hospital and returns to live in the home.

SECTION 1451. 49.496 (3) (a) (intro.) of the statutes is amended to read:

49.496 **(3)** (a) (intro.) Except as provided in par. (b), the department shall file a claim against the estate of a recipient ~~or against the estate of the surviving spouse of a recipient~~ for all of the following unless already recovered by the department under this section:

SECTION 1452. 49.496 (3) (a) 1. of the statutes is amended to read:

49.496 **(3)** (a) 1. The amount of medical assistance paid on behalf of the recipient while the recipient resided in a nursing home or while the recipient was an inpatient in a ~~medical institution~~ hospital and was required to contribute to the cost of care.

SECTION 1453. 49.496 (3) (a) 2. a. of the statutes is amended to read:

49.496 **(3)** (a) 2. a. Home–based or community–based services under 42 USC 1396d (a) (7) and (8) and

under any waiver granted under 42 USC 1396n (c) (4) (B) or 42 USC 1396u.

SECTION 1454. 49.496 (3) (a) 2. d. of the statutes is created to read:

49.496 **(3)** (a) 2. d. Personal care services under s. 49.46 (2) (b) 6. j.

SECTION 1455. 49.496 (3) (am) (intro.) of the statutes is amended to read:

49.496 **(3)** (am) (intro.) The court shall reduce the amount of a claim under par. (a) by up to ~~$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the recipient's heirs or the beneficiaries of the recipient's will to retain the following personal property:

SECTION 1456. 49.496 (3) (am) 3. of the statutes is amended to read:

49.496 **(3)** (am) 3. Other tangible personal property not used in trade, agriculture or other business, not to exceed ~~$1,000~~ in value the amount specified in s. 861.33 (1) (a) 4.

SECTION 1458. 49.496 (3) (c) of the statutes is renumbered 49.496 (3) (c) 1. and amended to read:

49.496 **(3)** (c) 1. If the department's claim is not allowable because of par. (b) and the estate includes an interest in a home, the court exercising probate jurisdiction shall, in the final judgment or summary findings and order, assign the interest in the home subject to a lien in favor of the department for the amount described in par. (a). The personal representative or petitioner for summary settlement or summary assignment of the estate shall record the final judgment as provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

SECTION 1459. 49.496 (3) (c) 2. of the statutes is created to read:

49.496 **(3)** (c) 2. If the department's claim is not allowable because of par. (b), the estate includes an interest in a home and the personal representative closes the estate by sworn statement under s. 865.16, the personal representative shall stipulate in the statement that the home is assigned subject to a lien in favor of the department for the amount described in par. (a). The personal representative shall record the statement in the same manner as described in s. 863.29, as if the statement were a final judgment.

SECTION 1460. 49.496 (3) (f) of the statutes is created to read:

49.496 **(3)** (f) The department may contract with or employ an attorney to probate estates to recover under this subsection the costs of care.

Vetoed In Part

SECTION 1460m. 49.496 (4) of the statutes is amended to read:

49.496 **(4)** ADMINISTRATION. The department may require a county department under s. 46.215, 46.22 or 46.23 or the governing body of a federally recognized American Indian tribe administering medical assistance to gather and provide the department with information needed to recover medical assistance under this section. The department shall pay to a county department or tribal governing body an amount equal to 5% of the recovery collected by the department relating to a beneficiary for whom the county department or tribal governing body made the last determination of medical assistance eligibility. A county department or tribal governing body may use funds received under this subsection only to pay costs incurred under this subsection and, if any amount remains, to pay for improvements to functions required under s. ~~49.33 (2)~~ 49.45 (2) (b) 1. The department may withhold payments under this subsection for failure to comply with the department's requirements under this subsection. The department shall treat payments made under this subsection as costs of administration of the medical assistance program.

Vetoed In Part

SECTION 1461. 49.496 (5) of the statutes is amended to read:

49.496 **(5)** USE OF FUNDS. From the appropriation under s. 20.435 ~~(5)~~ (4) (im), the department shall pay the amount of the payments under sub. (4) that is not paid from federal funds, shall pay to the federal government the amount of the funds recovered under this section equal to the amount of federal funds used to pay the benefits recovered under this section and shall spend the remainder of the funds recovered under this section for medical assistance benefits under this subchapter.

SECTION 1462. 49.499 (intro.) of the statutes, as affected by 1997 Wisconsin Act 27, is renumbered 49.499 (1) (intro.).

SECTION 1463. 49.499 (1) to (3) of the statutes are renumbered 49.499 (1) (a) to (c).

SECTION 1464. 49.499 (2m) of the statutes is created to read:

49.499 **(2m)** From the appropriation under s. 20.435 (6) (g), the department may distribute funds for innovative projects designed to protect the health and property of a resident in a nursing facility, as defined in s. 49.498 (1) (i).

SECTION 1465. 49.665 (1) (a) of the statutes is renumbered 49.665 (1) (e) and amended to read:

49.665 **(1)** (e) "~~Custodial parent~~ Parent" has the meaning given in s. 49.141 (1) ~~(b)~~ (j).

SECTION 1466. 49.665 (1) (b) of the statutes is repealed and recreated to read:

49.665 **(1)** (b) "Child" means a person who is under the age of 19.

SECTION 1467. 49.665 (1) (d) of the statutes is amended to read:

49.665 **(1)** (d) "Family" means a unit that consists of at least one ~~dependent~~ child and his or her ~~custodial~~ parent or parents, all of whom reside in the same household. "Family" includes the spouse of an individual who is a ~~custodial~~ parent if the spouse resides in the same household as the individual.

SECTION 1468. 49.665 (1) (f) of the statutes is created to read:

49.665 **(1)** (f) "State plan" means the state child health plan under 42 USC 1397aa (b).

SECTION 1469. 49.665 (3) of the statutes is amended to read:

49.665 **(3)** ADMINISTRATION. The department shall administer a program to provide the health services and benefits described in s. 49.46 (2) to ~~families~~ persons that meet the eligibility requirements specified in sub. (4). The department shall promulgate rules setting forth the application procedures and appeal and grievance procedures. The department may promulgate rules limiting access to the program under this section to defined enrollment periods. The department may also promulgate rules establishing a method by which the department may purchase family coverage offered by the employer of a member of an eligible family or by a member of a child's household under circumstances in which the department determines that purchasing that coverage would not be more costly than providing the coverage under this section.

SECTION 1470. 49.665 (4) (a) 1. of the statutes is amended to read:

49.665 **(4)** (a) 1. The family's income does not exceed 185% of the poverty line, except as provided in par. (at) and except that a family that is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall establish by rule the criteria to be used to determine income.

SECTION 1470d. 49.665 (4) (a) 3. of the statutes is amended to read:

49.665 **(4)** (a) 3. The family has not had access to employer–subsidized health care coverage within the time period established by the department by rule, but not to exceed 18 months, immediately preceding application for health care coverage under this section. The department may establish exceptions to this ~~subdivision~~ time period restriction by rule.

SECTION 1471. 49.665 (4) (am) of the statutes is created to read:

49.665 **(4)** (am) A child who does not reside with his or her parent is eligible for health care coverage under this section if the child meets all of the following requirements:

1. The child's income does not exceed 185% of the poverty line, except as provided in par. (at) and except that a child that is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall use the criteria established under par. (a) 1. to determine income under this subdivision.

2. The child does not have access to employer–subsidized health care coverage.

3. The child has not had access to employer–subsidized health care coverage within the time period established by the department under par. (a) 3. The department may establish exceptions to this subdivision.

4. The child meets all other requirements established by the department by rule. In establishing other eligibility criteria, the department may not include any health condition requirements.

SECTION 1472. 49.665 (4) (at) of the statutes is created to read:

49.665 **(4)** (at) 1. a. Except as provided in subd. 1. b., the department shall establish a lower maximum income level for the initial eligibility determination if funding under s. 20.435 (4) (bc), (jz) and (p) is insufficient to accommodate the projected enrollment levels for the health care program under this section. The adjustment may not be greater than necessary to ensure sufficient funding.

b. The department may not lower the maximum income level for initial eligibility unless the department first submits to the joint committee on finance its plans for lowering the maximum income level and the committee approves the plan. If, within 14 days after submitting the plan to the joint committee on finance, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan is considered approved by the committee.

2. If, after the department has established a lower maximum income level under subd. 1., projections indicate that funding under s. 20.435 (4) (bc), (jz) and (p) is sufficient to raise the level, the department shall, by state plan amendment, raise the maximum income level for initial eligibility, but not to exceed 185% of the poverty line.

3. The department may not adjust the maximum income level of 200% of the poverty line for persons already receiving health care coverage under this section.

SECTION 1473. 49.665 (4) (b) of the statutes is amended to read:

49.665 **(4)** (b) Notwithstanding fulfillment of the eligibility requirements under this subsection, ~~a family~~ no person is ~~not~~ entitled to health care coverage under this section.

SECTION 1474. 49.665 (4) (c) of the statutes is amended to read:

49.665 **(4)** (c) No ~~family~~ person may be denied health care coverage under this section solely because of a health condition of that person or of any family member of that person.

SECTION 1475. 49.665 (5) (a) of the statutes is amended to read:

49.665 **(5)** (a) Except as provided in ~~par.~~ pars. (b) and (bm), a family ~~that~~, or child who does not reside with his or her parent, who receives health care coverage under this section shall pay a percentage of the cost of that coverage in accordance with a schedule established by the

department by rule. If the schedule established by the department requires a family, or child who does not reside with his or her parent, to contribute more than 3% of the family's or child's income towards the cost of the health care coverage provided under this section, the department shall submit the schedule to the joint committee on finance for review and approval of the schedule. If the cochairpersons of the joint committee on finance do not notify the department within 14 working days after the date of the department's submittal of the schedule that the committee has scheduled a meeting to review the schedule, the department may implement the schedule. If, within 14 days after the date of the department's submittal of the schedule, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the schedule, the department may not require a family, or child who does not reside with his or her parent, to contribute more than 3% of the family's or child's income unless the joint committee on finance approves the schedule. The joint committee on finance may not approve and the department may not implement a schedule that requires a family or child to contribute more than 3.5% of the family's or child's income towards the cost of the health care coverage provided under this section.

SECTION 1476. 49.665 (5) (b) of the statutes is amended to read:

49.665 **(5)** (b) The department may not require a family, or child who does not reside with his or her parent, with an income below ~~143%~~ 150% of the poverty line to contribute to the cost of health care coverage provided under this section.

SECTION 1476d. 49.665 (5) (bm) of the statutes is created to read:

49.665 **(5)** (bm) If the federal department of health and human services notifies the department of health and family services that Native Americans may not be required to contribute to the cost of the health care coverage provided under this section, the department of health and family services may not require Native Americans to contribute to the cost of health care coverage under this section.

Vetoed In Part

SECTION 1476f. 49.665 (5m) of the statutes is created to read:

49.665 **(5m)** OUTREACH. The department shall coordinate with the department of public instruction to develop, and beginning on October 1, 1999, or on the effective date of this subsection .... [revisor inserts date], whichever is later, to implement, an outreach mailing targeted at families of children who are enrolled in the federal school lunch program under 42 USC 1751, et seq., to inform the families of those children about health care coverage under this section and the family's potential eligibility for that coverage.

SECTION 1477. 49.682 (2) (c) (intro.) of the statutes is amended to read:

49.682 **(2)** (c) (intro.) The court shall reduce the amount of a claim under par. (a) by up to ~~$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the client's heirs or the beneficiaries of the client's will to retain the following personal property:

SECTION 1478. 49.682 (2) (c) 3. of the statutes is amended to read:

49.682 **(2)** (c) 3. Other tangible personal property not used in trade, agriculture or other business, not to exceed ~~$1,000~~ in value the amount specified in s. 861.33 (1) (a) 4.

SECTION 1479. 49.682 (2) (e) of the statutes is renumbered 49.682 (2) (e) 1. and amended to read:

49.682 **(2)** (e) 1. If the department's claim is not allowable because of par. (d) and the estate includes an interest in a home, the court exercising probate jurisdiction shall, in the final judgment or summary findings and order, assign the interest in the home subject to a lien in favor of the department for the amount described in par. (a). The personal representative or petitioner for summary settlement or summary assignment of the estate shall record the final judgment as provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

SECTION 1480. 49.682 (2) (e) 2. of the statutes is created to read:

49.682 **(2)** (e) 2. If the department's claim is not allowable because of par. (d), the estate includes an interest in a home and the personal representative closes the estate by sworn statement under s. 865.16, the personal representative shall stipulate in the statement that the home is assigned subject to a lien in favor of the department for the amount described in par. (a). The personal representative shall record the statement in the same manner as described in s. 863.29, as if the statement were a final judgment.

SECTION 1481. 49.682 (6) of the statutes is created to read:

49.682 **(6)** The department may contract with or employ an attorney to probate estates to recover under this section the costs of care.

SECTION 1482. 49.683 (2) of the statutes is amended to read:

49.683 **(2)** Approved costs for medical care under sub. (1) shall be paid from the appropriation under s. 20.435 ~~(5)~~ (4) (e).

SECTION 1483. 49.687 (2) of the statutes is amended to read:

49.687 **(2)** The department shall develop and implement a sliding scale of patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s. 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to pay for treatment. To ensure that the needs for treatment of patients with lower incomes receive priority within the availability of funds under s. 20.435 ~~(5)~~ (4) (e), the department shall revise the sliding scale for patient liability by January 1, 1994, and shall,

every 3 years thereafter by January 1, review and, if necessary, revise the sliding scale.

Vetoed In Part

SECTION 1483t. 49.775 (1) (a) of the statutes is amended to read:

49.775 **(1)** (a) "Custodial parent" ~~has the meaning given in s. 49.141 (1) (b)~~ means, with respect to a dependent child, a parent who is eligible for supplemental security income under 42 USC 1381 to 1383d or for state supplemental payments under s. 49.77, or both, and who resides with a dependent child and, if there has been a determination of legal custody with respect to the dependent child, has legal custody of that child. For the purposes of this paragraph, "legal custody" has the meaning given in s. 767.001 (2) (a).

SECTION 1483u. 49.775 (1) (b) of the statutes is amended to read:

49.775 **(1)** (b) "Dependent child" ~~has the meaning given in s. 49.141 (1) (c)~~ means a person who is the son or daughter of a custodial parent, who resides with that parent and who is under the age of 18 or, if the person is a full–time student at a secondary school or a vocational or technical equivalent and is reasonably expected to complete the program before attaining the age of 19, is under the age of 19.

SECTION 1483v. 49.775 (1) (c) of the statutes is created to read:

49.775 **(1)** (c) "Grandchild" means a person who is the son or daughter of a custodial parent's dependent child who resides with the dependent child and, if there has been a determination of legal custody with respect to that person, of whom the dependent child has legal custody. For the purposes of this paragraph, "legal custody" has the meaning given in s. 767.001 (2) (a).

SECTION 1483w. 49.775 (1) (d) of the statutes is created to read:

49.775 **(1)** (d) "Parent" has the meaning given in s. 49.141 (1) (j).

SECTION 1483x. 49.775 (2) (intro.) of the statutes is amended to read:

49.775 **(2)** SUPPLEMENTAL PAYMENTS. (intro.) Subject to sub. (3), the department shall make a monthly payment in the amount specified in sub. (4) to a custodial parent for the support of each dependent child of the custodial parent, and for the support of each grandchild, if all of the following conditions are met:

SECTION 1483y. 49.775 (2) (a) of the statutes is repealed.

SECTION 1483ym. 49.775 (2) (b) of the statutes is amended to read:

49.775 **(2)** (b) If the dependent child has 2 custodial parents, each custodial parent ~~receives~~ is eligible for supplemental security income under 42 USC 1381 to 1383c or for state supplemental payments under s. 49.77, or both.

SECTION 1483z. 49.775 (2) (c) of the statutes is amended to read:

Vetoed In Part

49.775 **(2)** (c) The dependent child and grandchild, if any, of the ~~custodian~~ custodial parent ~~meets~~ meet the eligibility criteria under the aid to families with dependent children program under s. 49.19 (1) to (19) or would meet the eligibility criteria under s. 49.19 but for the application of s. 49.19 (20).

SECTION 1483zb. 49.775 (2) (d) of the statutes is amended to read:

49.775 **(2)** (d) The dependent child or the grandchild does not receive supplemental security income under 42 USC 1381 to 1383d.

SECTION 1484b. 49.775 (4) of the statutes is renumbered 49.775 (4) (a) and amended to read:

49.775 **(4)** PAYMENT AMOUNT. (a) The payment under sub. (2) is ~~$100~~ $250 per month ~~per~~ for one dependent child and $150 per month for each additional dependent child and, except as provided in par. (b), $150 per month for each grandchild.

Vetoed In Part

SECTION 1484c. 49.775 (4) (b) of the statutes is created to read:

Vetoed In Part

49.775 **(4)** (b) If the custodial parent receives a payment under s. 48.57 (3m) for the care and maintenance of a child, no payment may be made under this section with respect to that child.

SECTION 1486j. 49.854 (2) (e) of the statutes is created to read:

49.854 **(2)** (e) *Date that support lien docket is operational.* The department shall publish a notice in the Wisconsin Administrative Register that states the date on which the statewide support lien docket is first operational. The department shall publish the notice stating the date as soon as possible after the statewide support lien docket begins operating or, if the department is able to determine with certainty the date on which the statewide support lien docket will begin operating, as soon as possible after the department determines that date.

SECTION 1486k. 49.854 (2) (e) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1487. 49.855 (7) of the statutes is repealed.

SECTION 1488d. 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 1488m. 49.857 (1) (d) 12. of the statutes is amended to read:

49.857 **(1)** (d) 12. A license or certificate of registration issued under s. 138.09, 138.12, 217.06, 218.01, 218.02, 218.04, 218.05 ~~or~~, 224.72, 224.93 or subch. III of ch. 551.

SECTION 1489. 49.89 (2) of the statutes is amended to read:

49.89 **(2)** SUBROGATION. The department of health and family services, the department of workforce development, a county or an elected tribal governing body that provides any public assistance under this chapter or under s. 253.05 as a result of the occurrence of an injury,

sickness or death that creates a claim or cause of action, whether in tort or contract, on the part of a public assistance recipient or beneficiary or the estate of a recipient or beneficiary against a 3rd party, including an insurer, is subrogated to the rights of the recipient, beneficiary or estate and may make a claim or maintain an action or intervene in a claim or action by the recipient, beneficiary or estate against the 3rd party. Subrogation under this subsection because of the provision of medical assistance under subch. IV constitutes a lien, equal to the amount of the medical assistance provided as a result of the injury, sickness or death that gave rise to the claim. The lien is on any payment resulting from a judgment or settlement that may be due the obligor. A lien under this subsection continues until it is released and discharged by the department of health and family services.

SECTION 1490. 49.89 (3m) (bm) of the statutes is created to read:

49.89 **(3m)** (bm) A person against whom a claim that is subrogated under sub. (2) or assigned under sub. (3) is made, or that person's attorney or insurer, shall provide notice under par. (c), if that person, attorney or insurer knows, or could reasonably determine, that the claimant is a recipient or former recipient of medical assistance under subch. IV, or is the estate of a former recipient of medical assistance under subch. IV.

SECTION 1491. 49.89 (7) (c) of the statutes is amended to read:

49.89 **(7)** (c) The incentive payment shall be an amount equal to 15% of the amount recovered because of benefits paid under s. 49.19, ~~49.20,~~ s. 49.20, 1997 stats., and 49.30 or 253.05. The incentive payment shall be taken from the state share of the sum recovered, except that the incentive payment for an amount recovered because of benefits paid under s. 49.19 shall be considered an administrative cost under s. 49.19 for the purpose of claiming federal funding.

Vetoed In Part

SECTION 1491m. 49.96 of the statutes, as affected by 1997 Wisconsin Act 105, section 27g, is amended to read:

49.96 Assistance grants exempt from levy. All grants of aid to families with dependent children, payments made under ss. 48.57 (3m) ~~or~~, (3n) or (3o), 49.148 (1) (b) 1. or (c) or (1m) or 49.149 to 49.159, payments made for social services, cash benefits paid by counties under s. 59.53 (21), and benefits under s. 49.77 or federal Title XVI, are exempt from every tax, and from execution, garnishment, attachment and every other process and shall be inalienable.

SECTION 1493. 50.02 (2) (d) of the statutes is created to read:

50.02 **(2)** (d) The department shall promulgate rules that prescribe the time periods and the methods of providing information specified in ss. 50.033 (2r) and (2s), 50.034 (5m) and (5n), 50.035 (4m) and (4n) and 50.04 (2g) (a) and (2h) (a).

SECTION 1495. 50.033 (2) of the statutes is amended to read:

50.033 **(2)** REGULATION. Standards for operation of licensed adult family homes and procedures for application for licensure, monitoring, inspection, revocation and appeal of revocation under this section shall be under rules promulgated by the department under s. 50.02 (2) (am) 2. An adult family home licensure is valid until revoked under this section. Licensure is not transferable. The biennial licensure fee for a licensed adult family home is ~~$75~~ $135. The fee is payable to the county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, if the county department licenses the adult family home under sub. (1m) (b), and is payable to the department, on a schedule determined by the department if the department licenses the adult family home under sub. (1m) (b).

SECTION 1496. 50.033 (2r) of the statutes is created to read:

50.033 **(2r)** PROVISION OF INFORMATION REQUIRED. Subject to sub. (2t), an adult family home shall, within the time period after inquiry by a prospective resident that is prescribed by the department by rule, inform the prospective resident of the services of a resource center under s. 46.283, the family care benefit under s. 46.286 and the availability of a functional and financial screen to determine the prospective resident's eligibility for the family care benefit under s. 46.286 (1).

SECTION 1497. 50.033 (2s) of the statutes is created to read:

50.033 **(2s)** REQUIRED REFERRAL. Subject to sub. (2t), an adult family home shall, within the time period prescribed by the department by rule, refer to a resource center under s. 46.283 a person who is seeking admission, who is at least 65 years of age or has a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

(a) For a person who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen under s. 46.283 (4) (g).

(b) The person is entering the adult family home only for respite care.

(c) The person is an enrollee of a care management organization.

(d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.

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) For a person who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen under s. 46.283 (4) (g).

(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.

(d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.

SECTION 1501. 50.034 (5p) of the statutes is created to read:

50.034 **(5p)** APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the residential care apartment complex and for specified groups of eligible individuals that include those person seeking admission to or the residents of the residential care apartment complex.

SECTION 1501d. 50.034 (6) of the statutes is amended to read:

50.034 **(6)** FUNDING. Funding for supportive, personal or nursing services that a person who resides in a residential care apartment complex receives, other than private or 3rd–party funding, may be provided only under s. 46.27 (11) (c) 7. or 46.277 (5) (e), ~~unless~~ except if the provider of the services is a certified medical assistance provider under s. 49.45 or if the funding is provided as a family care benefit under ss. 46.2805 to 46.2895.

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) For a person who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months, the referral under this subsection need not include performance of an additional functional screen under s. 46.283 (4) (g).

(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.

(d) For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person is expected to become eligible for medical assistance within 6 months.

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~~ <u>$306</u>, plus a biennial fee of ~~$22~~ <u>$39.60</u> 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. For a person who has received a screen for functional eligibility under s. 46.286 (1) (a) within the previous 6 months, the referral under this paragraph need not include performance of an additional functional screen under s. 46.283 (4) (g).

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.

4. For a person who seeks admission or is about to be admitted on a private pay basis and who waives the requirement for a financial screen under s. 46.283 (4) (g), the referral under this subsection may not include performance of a financial screen under s. 46.283 (4) (g), unless the person expected to become eligible for medical assistance within 6 months.

(b) Failure to comply with this subsection is a class "C" violation under sub. (4) (b) 3.

SECTION 1512. 50.04 (2i) of the statutes is created to read:

50.04 **(2i)** APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary has certified under s. 46.281 (3) that a resource center is available for the nursing home and for specified groups of eligible individuals that include those persons seeking admission to or the residents of the nursing home.

SECTION 1513. 50.04 (2m) of the statutes is renumbered 50.04 (2m) (a) and amended to read:

50.04 **(2m)** (a) ~~No~~ Except as provided in par. (b), no nursing home may admit any patient until a physician has completed a plan of care for the patient and the patient is assessed or the patient is exempt from or waives assessment under s. 46.27 (6) (a) ~~or 46.271 (2m) (a) 2~~. Failure to comply with this subsection is a class "C" violation under sub. (4) (b) 3.

SECTION 1514. 50.04 (2m) (b) of the statutes is created to read:

50.04 **(2m)** (b) Paragraph (a) does not apply to those residents for whom the secretary has certified under s. 46.281 (3) that a resource center is available.

SECTION 1515. 50.06 (7) of the statutes is amended to read:

50.06 **(7)** An individual who consents to an admission under this section may request that an assessment be conducted for the incapacitated individual under the long–term support community options program under s. 46.27 (6) or, if the secretary has certified under s. 46.281 (3) that a resource center is available for the individual, a functional and financial screen to determine eligibility for the family care benefit under s. 46.286 (1). If admission is sought on behalf of the incapacitated individual or if the incapacitated individual is about to be admitted on a private pay basis, the individual who consents to the admission may waive the requirement for a financial screen under s. 46.283 (4) (g), unless the incapacitated individual is expected to become eligible for medical assistance within 6 months.

SECTION 1521b. 50.065 (1) (ag) of the statutes is created to read:

50.065 **(1)** (ag) 1. "Caregiver" means any of the following:

a. A person who is, or is expected to be, an employe or contractor of an entity, who is or is expected to be under the control of an entity, as defined by the department by rule, and who has, or is expected to have, regular, direct contact with clients of the entity.

b. A person who has, or is seeking, a license, certification, registration, or certificate of approval issued or granted by the department to operate an entity.

c. A person who is, or is expected to be, an employe of the board on aging and long–term care and who has, or is expected to have, regular, direct contact with clients.

2. "Caregiver" does not include a person who is certified as an emergency medical technician under s. 146.50 if the person is employed, or seeking employment, as an emergency medical technician.

SECTION 1521c. 50.065 (1) (bm) of the statutes is created to read:

50.065 **(1)** (bm) "Contractor" means, with respect to an entity, a person, or that person's agent, who provides services to the entity under an express or implied contract or subcontract, including a person who has staff privileges at the entity.

SECTION 1521cm. 50.065 (1) (br) of the statutes is created to read:

50.065 **(1)** (br) "Direct contact" means face–to–face physical proximity to a client that affords the opportunity to commit abuse or neglect of a client or to misappropriate the property of a client.

SECTION 1521d. 50.065 (1) (c) (intro.) of the statutes is amended to read:

50.065 **(1)** (c) (intro.) "Entity" means a facility, organization or service that is licensed or certified by or registered with the department to provide direct care or treatment services to clients. "Entity" includes a hospital, a personal care worker agency ~~and~~, a supportive home care service agency, a temporary employment agency that provides caregivers to another entity and the board on aging and long–term care. "Entity" does not include any of the following:

Vetoed In Part

SECTION 1521dm. 50.065 (1) (c) 2. of the statutes is amended to read:

50.065 **(1)** (c) 2. Kinship care ~~under s. 48.57 (3m)~~ or long–term kinship care under s. 48.57 (3m), (3n) or (3o).

SECTION 1521e. 50.065 (1) (cn) of the statutes is created to read:

50.065 **(1)** (cn) "Nonclient resident" means a person who resides, or is expected to reside, at an entity, who is not a client of the entity and who has, or is expected to have, regular, direct contact with clients of the entity.

SECTION 1521em. 50.065 (1) (dm) of the statutes is created to read:

50.065 **(1)** (dm) "Reservation" means land in this state within the boundaries of a reservation of a tribe or within the bureau of Indian affairs service area for the Ho–Chunk Nation.

SECTION 1521f. 50.065 (1) (e) of the statutes is repealed and recreated to read:

50.065 **(1)** (e) 1. "Serious crime" means a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a), or a violation of the law of any other state or United States jurisdiction that would be a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a) if committed in this state.

2. For the purposes of an entity that serves persons under the age of 18, "serious crime" includes a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or United States jurisdiction that would be a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

SECTION 1521fm. 50.065 (1) (g) of the statutes is created to read:

50.065 **(1)** (g) "Tribe" means a federally recognized American Indian tribe or band in this state.

SECTION 1521g. 50.065 (2) (a) (intro.) of the statutes is renumbered 50.065 (4m) (a) (intro.).

SECTION 1521h. 50.065 (2) (a) 1. of the statutes is renumbered 50.065 (4m) (a) 1.

SECTION 1521i. 50.065 (2) (a) 2. of the statutes is repealed.

SECTION 1521j. 50.065 (2) (a) 3. of the statutes is renumbered 50.065 (4m) (a) 3.

SECTION 1521k. 50.065 (2) (a) 4. of the statutes is renumbered 50.065 (4m) (a) 4.

SECTION 1521L. 50.065 (2) (a) 5. of the statutes is renumbered 50.065 (4m) (a) 5.

SECTION 1521m. 50.065 (2) (ag) (intro.) of the statutes is renumbered 50.065 (4m) (b) (intro.) and amended to read:

50.065 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), an 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,~~ caregiver or permit to reside at the entity a ~~person who is not a client and who is expected to have access to a client~~ nonclient resident, if the entity knows or should have known any of the following:

SECTION 1521n. 50.065 (2) (ag) 1. of the statutes is renumbered 50.065 (4m) (b) 1.

SECTION 1521p. 50.065 (2) (ag) 2. of the statutes is repealed.

SECTION 1521q. 50.065 (2) (ag) 3. of the statutes is renumbered 50.065 (4m) (b) 3.

SECTION 1521r. 50.065 (2) (ag) 4. of the statutes is renumbered 50.065 (4m) (b) 4.

SECTION 1521s. 50.065 (2) (ag) 5. of the statutes is renumbered 50.065 (4m) (b) 5.

SECTION 1521t. 50.065 (2) (am) (intro.) of the statutes is amended to read:

50.065 **(2)** (am) (intro.) ~~Subject to subd. 5. and par. (bd), the~~ The department shall obtain all of the following with respect to a person specified under ~~par. (a) (intro.)~~ sub. (1) (ag) 1. b. and a person ~~specified under par. (ag) (intro.)~~ who is a nonclient resident or prospective nonclient resident of an entity:

SECTION 1521u. 50.065 (2) (am) 5. of the statutes is amended to read:

50.065 **(2)** (am) 5. Information maintained by the department under this section regarding any denial to the person of a license, certification, certificate of approval or registration or of a continuation of a license, certification, certificate of approval or registration to operate an entity for a reason specified in ~~par.~~ sub. (4m) (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)~~ sub. (4m) (b) 1. to 5. If the information obtained under this subdivision indicates that the person has been denied a license, certification, certificate of approval or registration, continuation of a license, certification, certificate of approval or registration, a contract, employment or permission to reside as

described in this subdivision, the department need not obtain the information specified in subds. 1. to 4.

SECTION 1521v. 50.065 (2) (b) 1. of the statutes is renumbered 50.065 (2) (b), and 50.065 (2) (b) (intro.) and 5., as renumbered, are amended to read:

50.065 **(2)** (b) (intro.) ~~Subject to subds. 1. e. and 2. and par. (bd), every~~ 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~~ caregiver of the entity:

5. Information maintained by the department under this section regarding any denial to the person of a license, certification, certificate of approval or registration or of a continuation of a license, certification, certificate of approval or registration to operate an entity for a reason specified in ~~par.~~ sub. (4m) (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)~~ sub. (4m) (b) 1. to 5. If the information obtained under this ~~subd. 1. e.~~ subdivision indicates that the person has been denied a license, certification, certificate of approval or registration, continuation of a license, certification, certificate of approval or registration, a contract, employment or permission to reside as described in this ~~subd. 1. e.~~ subdivision, the entity need not obtain the information specified in ~~subd.~~ subds. 1. ~~a. to d.~~ to 4.

SECTION 1521w. 50.065 (2) (b) 2. of the statutes is repealed.

SECTION 1521xd. 50.065 (2) (bb) of the statutes is created to read:

50.065 **(2)** (bb) If information obtained under par. (am) or (b) indicates a charge of a serious crime, but does not completely and clearly indicate the final disposition of the charge, the department or entity shall make every reasonable effort to contact the clerk of courts to determine the final disposition of the charge. If a background information form under sub. (6) (a) or (am) indicates a charge or a conviction of a serious crime, but information obtained under par. (am) or (b) does not indicate such a charge or conviction, the department or entity shall make every reasonable effort to contact the clerk of courts to obtain a copy of the criminal complaint and the final disposition of the complaint. If information obtained under par. (am) or (b), a background information form under sub. (6) (a) or (am) or any other information indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 or 947.013 obtained not more than 5 years before the date on which that information was obtained, the department or entity shall make every reasonable effort to contact the clerk of courts to obtain a copy of the criminal complaint and judgment of conviction relating to that violation.

SECTION 1521y. 50.065 (2) (bd) of the statutes is amended to read:

50.065 **(2)** (bd) Notwithstanding pars. (am) and (b) 1., the department 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.~~ to 5., 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)~~ sub. (4m) (b) 1. to 5. and with respect to whom the department 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 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 1521z. 50.065 (2) (bg) of the statutes is amended to read:

50.065 **(2)** (bg) If an entity ~~takes an action specified in par. (ag) (intro.) with respect to an employe, prospective employe, contractor or prospective contractor~~ hires or contracts with a caregiver for whom, within the last 4 years, the information required under par. (b) 1. ~~a.~~ to ~~c.~~ 3. and ~~e.~~ 5. has already been obtained~~, either~~ by another entity ~~or by a temporary employment agency~~, the entity may obtain ~~the~~ that information ~~required under par. (b) 1. a. to c. and e.~~ from that other entity ~~or temporary employment agency~~, which shall provide the information, if possible, to the requesting entity. If an entity cannot obtain the information required under par. (b) 1. ~~a.~~ to ~~c.~~ 3. and ~~e.~~ 5. from another entity ~~or from a temporary employment agency~~ or if an entity has reasonable grounds to believe that any information obtained from another entity ~~or from a temporary employment agency~~ is no longer accurate, the entity shall obtain that information from the sources specified in par. (b) 1. ~~a.~~ to 3. and ~~e.~~ 5.

SECTION 1521zb. 50.065 (2) (bm) of the statutes is amended to read:

50.065 **(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, or if the department or entity determines that the person's employment, licensing or state court records provide a reasonable basis for further investigation, the department or entity shall make a good faith effort to obtain from any state or other United States jurisdiction 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.~~ The department or entity may require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of

the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrests and convictions.

SECTION 1521zc. 50.065 (2) (c) of the statutes is renumbered 50.065 (4m) (c) and amended to read:

50.065 **(4m)** (c) If the background information form completed by a person under sub. (6) (am) indicates that the person is not ineligible to be employed or contracted with for a reason specified in par. ~~(ag)~~ (b) 1. to 5., an entity may employ or contract with the person for not more than 60 days pending the receipt of the information sought under ~~par.~~ sub. (2) (b) ~~1.~~. If the background information form completed by a person under sub. (6) (am) indicates that the person is not ineligible to be permitted to reside at an entity for a reason specified in par. ~~(ag)~~ (b) 1. to 5. and if an entity otherwise has no reason to believe that the person is ineligible to be permitted to reside at an entity for any of those reasons, the entity may permit the person to reside at the entity for not more than 60 days pending receipt of the information sought under ~~par.~~ sub. (2) (am). An entity shall provide supervision for a person who is employed or contracted with or permitted to reside as permitted under this paragraph.

SECTION 1521zd. 50.065 (2) (d) of the statutes is created to read:

50.065 **(2)** (d) Every entity shall maintain, or shall contract with another person to maintain, the most recent background information obtained on a caregiver under par. (b). The information shall be made available for inspection by authorized persons, as defined by the department by rule.

SECTION 1521ze. 50.065 (3) (a) of the statutes is amended to read:

50.065 **(3)** (a) Every 4 years or at any time within that period that the department considers appropriate, the department shall request the information specified in sub. (2) (am) 1. to ~~4.~~ 5. for all persons who are licensed to operate an entity and for all persons ~~specified in par. (ag) (intro.)~~ who are nonclient residents of an entity.

SECTION 1521zf. 50.065 (3) (b) of the statutes is amended to read:

50.065 **(3)** (b) Every 4 years or at any other time within that period that an entity considers appropriate, the entity shall request the information specified in sub. (2) (b) 1. ~~a.~~ to ~~d.~~ 5. for all ~~persons specified in sub. (2) (ag) (intro.) who are employes or contractors~~ caregivers of the entity.

SECTION 1521zg. 50.065 (3m) of the statutes is amended to read:

50.065 **(3m)** Notwithstanding subs. (2) (b) ~~1.~~ and (3) (b), if the department obtains the information required under sub. (2) (am) or (3) (a) with respect to a person ~~specified in sub. (2) (a) (intro.)~~ who is a caregiver specified under sub. (1) (ag) 1. b. and that person is also an employe, contractor or nonclient resident of the 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 1521zh. 50.065 (4) of the statutes is amended to read:

50.065 **(4)** An entity that violates sub. (2) ~~or~~, (3) or (4m) (b) may be required to forfeit not more than $1,000 and may be subject to other sanctions specified by the department by rule.

SECTION 1521zi. 50.065 (4m) (b) (intro.) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

50.065 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit to reside at the entity a nonclient resident, if the entity knows or should have known any of the following:

SECTION 1521zj. 50.065 (5) (intro.) of the statutes is renumbered 50.065 (5) and amended to read:

50.065 **(5)** The department may license, certify, issue a certificate of approval to or register to operate an entity a person who otherwise may not be licensed, certified, issued a certificate of approval or registered for a reason specified in sub. ~~(2)~~ (4m) (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)~~ (4m) (b) 1. to 5., if the person demonstrates to the department, or, in the case of an entity that is located within the boundaries of a reservation, to the person or body designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and in accordance with procedures established by the department by rule, or by the tribe, that he or she has been rehabilitated. ~~No person who has been convicted of any of the following offenses may be permitted to demonstrate that he or she has been rehabilitated:~~

SECTION 1521zk. 50.065 (5) (a) to (e) of the statutes are repealed.

SECTION 1521zL. 50.065 (5d) of the statutes is created to read:

50.065 **(5d)** (a) Any tribe that chooses to conduct rehabilitation reviews under sub. (5) shall submit to the department a rehabilitation review plan that includes all of the following:

1. The criteria to be used to determine if a person has been rehabilitated.

2. The title of the person or body designated by the tribe to whom a request for review must be made.

3. The title of the person or body designated by the tribe to determine whether a person has been rehabilitated.

3m. The title of the person or body designated by the tribe to whom a person may appeal an adverse decision made by the person specified under subd. 3. and whether the tribe provides any further rights of appeal.

4. The manner in which the tribe will submit information relating to a rehabilitation review to the department so that the department may include that information in its report to the legislature required under sub. (5g).

5. A copy of the form to be used to request a review and a copy of the form on which a written decision is to be made regarding whether a person has demonstrated rehabilitation.

(b) If, within 90 days after receiving the plan, the department does not disapprove the plan, the plan shall be considered approved. If, within 90 days after receiving the plan, the department disapproves the plan, the department shall provide notice of that disapproval to the tribe in writing, together with the reasons for the disapproval. The department may not disapprove a plan unless the department finds that the plan is not rationally related to the protection of clients. If the department disapproves the plan, the tribe may, within 30 days after receiving notice of the disapproval, request that the secretary review the department's decision. A final decision under this paragraph is not subject to further review under ch. 227.

SECTION 1521zm. 50.065 (5m) of the statutes is amended to read:

50.065 **(5m)** Notwithstanding s. 111.335, the department may refuse to license, certify or register, or issue a certificate of approval to, a ~~person to operate an entity,~~ caregiver and an entity may refuse to employ~~,~~ or contract with a caregiver or to permit a nonclient resident to reside at the entity ~~a person specified in sub. (2) (ag) (intro.)~~, if the ~~person~~ caregiver or nonclient resident 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)~~ is not a serious crime, but that is, in the estimation of the department or entity, substantially related to the care of a client.

SECTION 1521zn. 50.065 (6) (am) (intro.) of the statutes is renumbered 50.065 (6) (am) and amended to read:

50.065 **(6)** (am) Every 4 years an entity shall require ~~all of the following persons~~ its caregivers and nonclient residents to complete a background information form that is provided to the entity by the department~~:~~.

SECTION 1521zp. 50.065 (6) (am) 1. and 2. of the statutes are repealed.

SECTION 1521zq. 50.065 (6) (b) of the statutes is amended to read:

50.065 **(6)** (b) For ~~persons specified under par. (a)~~ caregivers who are licensed, issued a certificate of approval or certified by, or registered with, the department, for ~~person specified in par. (am) 2.~~ nonclient residents, and for other persons specified by the department by rule, the entity shall send the background information form to the department. ~~For persons specified under par. (am) 1., the entity shall maintain the background information form on file for inspection by the department.~~

SECTION 1521zr. 50.065 (7) (a) and (b) of the statutes are repealed.

SECTION 1522. 50.065 (8) of the statutes is amended to read:

50.065 **(8)** The department may charge a fee for obtaining the information required under sub. (2) (am) or (3) (a) or for providing information to an entity to enable the entity to comply with sub. (2) (b) or (3) (b). The fee may not exceed the reasonable cost of obtaining the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining the information if to do so would be inconsistent with federal law.

SECTION 1522w. 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 1526g. 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 1526h. 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 1531g. 50.498 (1) (intro.) of the statutes is amended to read:

50.498 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with his or her social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing any of the following:

SECTION 1531h. 50.498 (1m) of the statutes is created to read:

50.498 **(1m)** If an individual who applies for a certificate of approval, license or provisional license under sub. (1) does not have a social security number, the individual, as a condition of obtaining the certificate of approval, license or provisional license, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certificate of approval, license or provisional license issued in reliance upon a false statement submitted under this subsection is invalid.

SECTION 1531i. 50.498 (3) of the statutes is amended to read:

50.498 **(3)** ~~The~~ Except as provided in sub. (1m), the department shall deny an application for the issuance of

a certificate of approval, license or provisional license specified in sub. (1) if the applicant does not provide the information specified in sub. (1).

SECTION 1531r. 50.94 of the statutes is created to read:

50.94 Admission to and care in a hospice for certain incapacitated persons. (1) In this section:

(a) "Hospice care" means palliative care, respite care, short–term care or supportive care.

(b) "Incapacitated" means unable to receive and evaluate information effectively or to communicate decisions to such an extent that a person lacks the capacity to manage his or her health care decisions.

(c) "Physician" means a person licensed to practice medicine and surgery under ch. 448.

(d) "Terminal condition" means an incurable condition caused by injury, disease or illness that according to reasonable medical judgment will produce death within 6 months, even with available life–sustaining treatment provided in accordance with the prevailing standard of medical care.

(2) A person who is determined to be incapacitated under the requirements of sub. (8), does not have a valid living will or valid power of attorney for health care and has not been adjudicated incompetent under ch. 880 may be admitted to a hospice under this section only if all of the following requirements are met:

(a) An individual who is specified in sub. (3) signs all of the following:

1. On behalf of the person who is incapacitated, an informed consent for the receipt of hospice care by the person who is incapacitated.

2. A statement certifying that it is his or her belief, to the best of his or her knowledge, that, if able to do so, the person who is incapacitated would have selected hospice care.

(b) A physician certifies that the person who is incapacitated has a terminal condition and that the physician believes that the individual under par. (a) is acting in accordance with the views or beliefs of the person who is incapacitated.

(3) The following individuals, in the following order of priority, may act under sub. (2) (a):

(a) The spouse of the person who is incapacitated.

(b) An adult child of the person who is incapacitated.

(c) A parent of the person who is incapacitated.

(d) An adult sibling of the person who is incapacitated.

(e) A close friend or a relative of the person who is incapacitated, other than as specified in pars. (a) to (d), to whom all of the following apply:

1. The close friend or other relative is aged at least 18 and has maintained sufficient regular contact with the person who is incapacitated to be familiar with the person's activities, health and beliefs.

2. The close friend or other relative has exhibited special care and concern for the incapacitated person.

(4) The individual who acts under sub. (2) (a) may make all health care decisions related to receipt of hospice care by the person who is incapacitated.

(5) The person who is incapacitated or the individual under sub. (4) may object to or revoke the election of hospice care at any time.

(6) A person who disagrees with a hospice decision made under this section may apply under ch. 880 for temporary guardianship of the person who is incapacitated. In applying for the temporary guardianship, such a person has the burden of proving that the person who is incapacitated would not have consented to admission to a hospice or hospice care.

(7) The individual who acts under sub. (2) (a) shall, if feasible, provide to all other individuals listed under sub. (3) notice of the proposed admission of the person who is incapacitated to a hospice and of the right to apply for temporary guardianship under sub. (6). If it is not feasible for the individual to provide this notice before admission of the person who is incapacitated to a hospice, the individual who acts under sub. (2) (a) shall exercise reasonable diligence in providing the notice within 48 hours after the admission.

(8) A determination that a person is incapacitated may be made only by 2 physicians or by one physician and one licensed psychologist, as defined in s. 455.01 (4), who personally examine the person and sign a statement specifying that the person is incapacitated. Mere old age, eccentricity or physical disabilities, singly or together, are insufficient to determine that a person is incapacitated. Whoever determines that the person is incapacitated may not be a relative, as defined in s. 242.01 (11), of the person or have knowledge that he or she is entitled to or has claim on any portion of the person's estate. A copy of the statement shall be included in the records of the incapacitated person in the hospice to which he or she is admitted.

SECTION 1532d. 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 1533d. 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 1534d. 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 1538p. 51.032 (1) (intro.) of the statutes is amended to read:

51.032 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with his or her social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing any of the following:

SECTION 1538q. 51.032 (1m) of the statutes is created to read:

51.032 **(1m)** If an individual who applies for a certification or approval under sub. (1) does not have a social security number, the individual, as a condition of obtaining the certification or approval, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certification or approval issued in reliance upon a false statement submitted under this subsection is invalid.

SECTION 1538r. 51.032 (3) of the statutes is amended to read:

51.032 **(3)** ~~The~~ Except as provided in sub. (1m), the department shall deny an application for the issuance of a certification or approval specified in sub. (1) if the applicant does not provide the information specified in sub. (1).

SECTION 1539d. 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 1555d. 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 1556d. 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 1557d. 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 1558d. 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 1559d. 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 1560d. 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 1561d. 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), 1997 stats., or s. 980.08 (5). If the county department provides treatment and services under this subdivision, the department of health and family services shall, from the appropriation under s. 20.435 (2) (bj), pay the county department for the costs of the treatment and services.

SECTION 1566. 51.42 (3) (e) of the statutes is amended to read:

51.42 **(3)** (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of community programs, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of community programs or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of community programs to coordinate the delivery of services to the client.

SECTION 1568. 51.423 (2) of the statutes is amended to read:

51.423 **(2)** From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall distribute the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments as provided under s. 46.40. County matching funds are required for the distributions under s. 46.40 (2) and (9) (b). Each county's required match for the distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions under s. 46.40 (2) for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency–related services from its distribution for 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds distributed for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1570. 51.437 (4m) (n) of the statutes is created to read:

51.437 **(4m)** (n) If authorized under s. 46.283 (1) (a) 1., apply to the department of health and family services to operate a resource center under s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate the resource center.

SECTION 1571. 51.437 (4m) (p) of the statutes is created to read:

51.437 **(4m)** (p) If authorized under s. 46.284 (1) (a) 1., apply to the department of health and family services to operate a care management organization under s. 46.284 and, if the department contracts with the county under s. 46.284 (2), operate the care management organization and, if appropriate, place funds in a risk reserve.

SECTION 1572. 51.437 (4r) (b) of the statutes is amended to read:

51.437 **(4r)** (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), any subunit of the county department of developmental disabilities services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of developmental disabilities services, with a resource center, care management organization or family care district, or with any person providing services to the client under a purchase of services contract with the county department of developmental disabilities services or with a resource center, care management organization or family care district, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of developmental disabilities services to coordinate the delivery of services to the client.

SECTION 1573. 51.45 (5) of the statutes is repealed.

SECTION 1573g. 51.48 of the statutes is created to read:

51.48 Alcohol and other drug testing of minors. A minor's parent or guardian may consent to have the minor tested for the presence of alcohol or other drugs in the minor's body. Consent of the minor is not required under this section.

SECTION 1573m. 58.06 of the statutes is repealed.

SECTION 1575t. 59.23 (2) (i) of the statutes is repealed.

SECTION 1576. 59.25 (3) (f) 2. of the statutes is amended to read:

59.25 **(3)** (f) 2. For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755 for the crime laboratories and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 938.34 (8d) for the delinquency victim and witness assistance surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts required by s. 100.261 for the consumer information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the enforcement assessment under the supplemental food program for women, infants and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the amounts required by s. 346.655 (2) (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the environmental assessment, the amounts required by s. 29.983 for the wild animal protection assessment, the amounts required by s. 29.987 for the natural resources assessment surcharge, the amounts required by s. 29.985 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amounts required by s. 29.989 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions entered during the preceding month on or before the first day of the next succeeding month, certified by the county treasurer's personal signature affixed or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 1576m. 59.25 (3) (r) of the statutes is repealed.

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 1577p. 59.52 (29) (a) of the statutes is amended to read:

59.52 **(29)** (a) All public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed ~~$20,000~~ $25,000 shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does not exceed ~~$20,000~~ $25,000, shall be let as the board may direct. If the estimated cost of any public work is between $5,000 and ~~$20,000~~ $25,000, the board shall give a class 1 notice under ch. 985 before it contracts for the work or shall contract with a person qualified as a bidder under s. 66.29 (2). A contract, the estimated cost of which exceeds ~~$20,000~~ $25,000, shall be let and entered into under s. 66.29, except that the board may by a three–fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids. This subsection does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. This subsection does not apply to highway contracts which the county highway committee or the county highway commissioner is authorized by law to let or make.

SECTION 1578. 59.69 (3) (a) of the statutes is amended to read:

59.69 **(3)** (a) The county zoning agency ~~shall~~ may 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 1579n. 59.692 (1) (bn) of the statutes is created to read:

59.692 **(1)** (bn) "Shoreland setback area" means an area in a shoreland that is within a certain distance of the ordinary high–water mark in which the construction or placement of buildings or structures has been limited or prohibited under an ordinance enacted under this section.

SECTION 1579p. 59.692 (1) (d) of the statutes is created to read:

59.692 **(1)** (d) "Special zoning permission" has the meaning given in s. 59.69 (15) (g).

SECTION 1579r. 59.692 (1v) of the statutes is created to read:

59.692 **(1v)** A county shall grant special zoning permission for the construction or placement of a structure on property in a shoreland setback area if all of the following apply:

(a) The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary high–water mark.

(b) The total floor area of all of the structures in the shoreland setback area of the property will not exceed 200 square feet. In calculating this square footage, boathouses shall be excluded.

(c) The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.

(d) The county must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water.

SECTION 1579u. 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 (2) or (3) (a), 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 1580m. 59.79 (13) of the statutes is created to read:

59.79 **(13)** DESIGN–BUILD CONSTRUCTION PROCESS. Let a contract for the construction of a sheriff's department training academy, that is located in the county, using the design–build construction process, as defined in s. 66.904 (2) (f). Section 66.904 (2) (f) to (i), as it applies to a metropolitan sewerage commission acting under that subsection, applies to the board acting under this subsection.

Vetoed In Part

SECTION 1580n. 60.47 (2) (a) of the statutes is amended to read:

60.47 **(2)** (a) No town may enter into a public contract with an estimated cost of more than $5,000 but not more than ~~$10,000~~ $15,000 unless the town board, or a town official or employe designated by the town board, gives a class 1 notice under ch. 985 before execution of that public contract.

SECTION 1580nc. 60.47 (2) (b) of the statutes is amended to read:

60.47 **(2)** (b) No town may enter into a public contract with a value of more than ~~$10,000~~ $15,000 unless the town board, or a town official or employe designated by the town board, advertises for proposals to perform the terms of the public contract by publishing a class 2 notice under ch. 985. The town board may provide for additional means of advertising for bids.

SECTION 1580ni. 60.47 (5) of the statutes is amended to read:

60.47 **(5)** EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR. This section is optional with respect to public contracts for the repair and construction of public facilities when damage or threatened damage to the facility creates an emergency, as declared by resolution of the town board, that endangers the public health or welfare of the town. This subsection no longer applies when the town board declares that the emergency no longer exists. This section is optional with respect to a public contract if the materials related to the contract are donated or if the labor that is necessary to execute the public contract is provided by volunteers.

Vetoed In Part

SECTION 1580p. 60.615 of the statutes is created to read:

60.615 Town of Troy farmland preservation pilot program; special zoning powers, purchase of development rights. (1) TOWN BOARD PURCHASE OF DEVELOPMENT RIGHTS. (a) *Definitions.* In this section:

1. "Board" means the town of Troy board of supervisors.

2. "Developer" means a person that constructs or creates a land development.

3. "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, recreational or open space use, protecting natural resources or maintaining or enhancing air or water quality.

Vetoed In Part

4. "Farmland" has the meaning given for eligible farmland under s. 91.01 (6).

Vetoed In Part

5. "Land development" means the construction of residential dwelling units within the town of Troy in an area that is rezoned under sub. (2).

6. "Town of Troy" means the town of Troy in St. Croix County.

(b) *Purchase of development rights.* 1. The board may purchase development rights to farmland that is located in the town of Troy.

2. The town may purchase the development rights with the grant received from the department of agriculture, trade and consumer protection under s. 20.115 (7) (dr) or from funds received under sub. (2) (a). If the board adopts a resolution requesting the department of agriculture, trade and consumer protection to make the grant payment described under this subdivision, the department shall do so.

3. The board shall determine which farmland in the town is the best farmland and shall attempt to purchase the development rights to that farmland.

(2) REZONING. (a) When the board rezones under s. 91.77 (1), a parcel that is zoned for exclusive agricultural use under subch. V of ch. 91, the board may recover an amount equal to the amount of tax credits that would be subject to a lien, as calculated under s. 91.77 (2) on the parcel. The board may recover that amount either by imposing a lien, in the manner provided in s. 91.19 (8) to (10), on the parcel or by requiring payment from the developer who creates a land development on the parcel. The board may use funds collected under this paragraph only for the purchase of development rights under sub. (1) (b).

(b) The provisions of s. 91.77 (2) do not apply to a parcel that is rezoned under par. (a) if the board recovers funds under par. (a).

(3) SUNSET PROVISIONS. Subsection (2) does not apply after the first day of the 12th month beginning after publication.

SECTION 1582s. 60.62 (4) (a) of the statutes is amended to read:

60.62 **(4)** (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a population of less than 2,500 that acts under this section may create a "Town Plan Commission" under s. 62.23 (1) (a) that has 5 members, ~~consisting of the town chairperson, who shall be its presiding officer, the town engineer, the president of the park board, another member of the town board and one citizen. If the town plan commission has only 5 members and the town has no engineer or park board, an additional citizen member shall be appointed so that the commission has at all times 5 members~~ all of whom shall be appointed by the town board chairperson, who shall also select the presid-

ing officer. The town board chairperson may appoint himself or herself to the commission and may appoint other town elected or appointed officials to the commission, except that the commission shall always have at least one citizen member who is not a town official. All other provisions of ss. 61.35 and 62.23 shall apply to a town plan commission that has 5 members.

SECTION 1582t. 60.62 (4) (b) of the statutes is amended to read:

60.62 **(4)** (b) If a town plan commission consists of 7 members and the town board enacts an ordinance or adopts a resolution reducing the size of the commission to 5 members, the commission shall continue to operate with 6 or 7 members until the expiration of the terms of the 2 citizen members, who were appointed under s. 62.23 (1) ~~(c)~~ (a), whose terms expire soonest after the effective date of the ordinance or resolution that reduces the size of the commission.

SECTION 1582u. 60.62 (4) (c) of the statutes is amended to read:

60.62 **(4)** (c) If a town plan commission consists of 5 members and the town board enacts an ordinance or adopts a resolution increasing the size of the commission to 7 members, the town board chairperson shall appoint the 2 new members under s. 62.23 (1) ~~(c)~~ (a).

SECTION 1585m. 61.55 of the statutes is amended to read:

61.55 Contracts involving over ~~$10,000~~ $15,000; how let; exception. All contracts for public construction, in any such village, exceeding ~~$10,000~~ $15,000, shall be let by the village board to the lowest responsible bidder in accordance with s. 66.29 insofar as said section may be applicable. If the estimated cost of any public construction exceeds $5,000, but is not greater than ~~$10,000~~ $15,000, the village board shall give a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers, and this provision and s. 281.41 are not mandatory for the repair and reconstruction of public facilities when damage or threatened damage thereto creates an emergency, as determined by resolution of the village board, in which the public health or welfare of the village is endangered. Whenever the village board by majority vote at a regular or special meeting declares that an emergency no longer exists, this exemption no longer applies.

SECTION 1588c. 62.15 (1) of the statutes is amended to read:

62.15 **(1)** CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All public construction, the estimated cost of which exceeds ~~$10,000~~ $15,000, shall be let by contract to the lowest responsible bidder; all other public construction shall be let as the council may direct. If the estimated cost of any public construction exceeds $5,000 but is not greater than ~~$10,000~~ $15,000, the board of public works shall give a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. The council may also by a vote of three–fourths of all the members–elect provide by ordinance that any class of public construction or any part thereof may be done directly by the city without submitting the same for bids.

SECTION 1589s. 62.23 (1) (a) of the statutes is amended to read:

62.23 **(1)** (a) The council of any city may by ordinance create a "City Plan Commission," to consist of ~~the mayor, who shall be its presiding officer, the city engineer, the president of the park board, an alderperson, and 3 citizens. In case the city has no engineer or no park board, an additional citizen member shall be appointed so that the board has at all times~~ 7 members. All members of the commission shall be appointed by the mayor, who shall also choose the presiding officer. The mayor may appoint himself or herself to the commission and may appoint other city elected or appointed officials, except that the commission shall always have at least 3 citizen members who are not city officials. Citizen members shall be persons of recognized experience and qualifications. The council may by ordinance provide that the membership of the commission shall be as provided thereunder.

SECTION 1589t. 62.23 (1) (b) of the statutes is repealed.

SECTION 1589u. 62.23 (1) (c) of the statutes is repealed.

SECTION 1589v. 62.23 (1) (d) of the statutes is amended to read:

62.23 **(1)** (d) The ~~additional citizen~~ members~~, if any,~~ of the commission shall be ~~first~~ appointed to hold office for a period ~~ending one year from the succeeding May first, and thereafter annually~~ of 3 years. Appointments shall be made by the mayor during the month of April~~. Whenever a park board is created, or a city engineer appointed, the president of such board or such engineer shall succeed to a place on the commission when the term of an additional citizen member expires~~ for terms that expire in April or at any other time if a vacancy occurs during the middle of a term.

SECTION 1590. 62.23 (2) of the statutes is amended to read:

62.23 **(2)** FUNCTIONS. It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the city, including any areas outside of its boundaries which in the commission's judgment bear relation to the development of the city provided, however, that in any county where a regional planning department has been established, areas outside the

boundaries of a city may not be included in the master plan without the consent of the county board of supervisors. The master plan, with the accompanying maps, plats, charts and descriptive and explanatory matter, shall show the commission's recommendations for such physical development, and ~~may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, airports, pierhead and bulkhead lines, waterways, routes for railroads and buses, historic districts, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, the general character, extent and layout of the replanning of blighted districts and slum areas, and a comprehensive zoning plan~~ shall contain at least the elements described in s. 66.0295. The commission may from time to time amend, extend or add to the master plan or carry any part or subject matter into greater detail. The commission may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

SECTION 1591. 62.23 (3) (b) of the statutes is amended to read:

62.23 **(3)** (b) The commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond ~~generally~~ with one or more of the ~~functional subdivisions of the subject matter of the plan~~ elements specified in s. 66.0295. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the city plan commission. The resolution shall refer expressly to the ~~maps, descriptive matter,~~ elements under s. 66.0295 and other matters intended by the commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the commission, and a copy of the plan or part thereof shall be certified to the common council. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the city plan commission and the council in the performance of their duties.

SECTION 1591k. 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 (2) or (3) (a), 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 1592g. 62.50 (23m) of the statutes is created to read:

62.50 **(23m)** FIREARM LAW MEDIA CAMPAIGN. The board shall conduct a city–wide communications media campaign designed to deter the unlawful possession and use of firearms by educating the public about the legal consequences of unlawful possession and use of firearms. The department of administration shall provide funding to the board for the media campaign under this subsection from the appropriation under s. 20.475 (1) (f). The amounts paid by the department of administration under this subsection may not exceed $90,000 in the 1999–2000 fiscal year and $60,000 in the 2000–01 fiscal year.

SECTION 1606. 66.0295 of the statutes is created to read:

66.0295 Comprehensive planning. (1) DEFINITIONS. In this section:

(a) "Comprehensive plan" means:

1. For a county, a development plan that is prepared or amended under s. 59.69 (2) or (3).

2. For a city or a village, or for a town that exercises village powers under s. 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

3. For a regional planning commission, a master plan that is adopted or amended under s. 66.945 (8), (9) or (10).

(b) "Local governmental unit" means a city, village, town, county or regional planning commission that may adopt, prepare or amend a comprehensive plan.

(2) CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain all of the following elements:

(a) *Issues and opportunities element.* Background information on the local governmental unit and a statement of overall objectives, policies, goals and programs of the local governmental unit to guide the future development and redevelopment of the local governmental unit over a 20–year planning period. Background information shall include population, household and employment forecasts that the local governmental unit uses in developing its comprehensive plan, and demographic trends, age distribution, educational levels, income levels and employment characteristics that exist within the local governmental unit.

(b) *Housing element.* A compilation of objectives, policies, goals, maps and programs of the local governmental unit to provide an adequate housing supply that meets existing and forecasted housing demand in the

local governmental unit. The element shall assess the age, structural, value and occupancy characteristics of the local governmental unit's housing stock. The element shall also identify specific policies and programs that promote the development of housing for residents of the local governmental unit and provide a range of housing choices that meet the needs of persons of all income levels and of all age groups and persons with special needs, policies and programs that promote the availability of land for the development or redevelopment of low–income and moderate–income housing, and policies and programs to maintain or rehabilitate the local governmental unit's existing housing stock.

(c) *Transportation element*. A compilation of objectives, policies, goals, maps and programs to guide the future development of the various modes of transportation, including highways, transit, transportation systems for persons with disabilities, bicycles, walking, railroads, air transportation, trucking and water transportation. The element shall compare the local governmental unit's objectives, policies, goals and programs to state and regional transportation plans. The element shall also identify highways within the local governmental unit by function and incorporate state, regional and other applicable transportation plans, including transportation corridor plans, county highway functional and jurisdictional studies, urban area and rural area transportation plans, airport master plans and rail plans that apply in the local governmental unit.

(d) *Utilities and community facilities element*. A compilation of objectives, policies, goals, maps and programs to guide the future development of utilities and community facilities in the local governmental unit such as sanitary sewer service, storm water management, water supply, solid waste disposal, on–site wastewater treatment technologies, recycling facilities, parks, telecommunications facilities, power–generating plants and transmission lines, cemeteries, health care facilities, child care facilities and other public facilities, such as police, fire and rescue facilities, libraries, schools and other governmental facilities. The element shall describe the location, use and capacity of existing public utilities and community facilities that serve the local governmental unit, shall include an approximate timetable that forecasts the need in the local governmental unit to expand or rehabilitate existing utilities and facilities or to create new utilities and facilities and shall assess future needs for government services in the local governmental unit that are related to such utilities and facilities.

(e) *Agricultural, natural and cultural resources element*. A compilation of objectives, policies, goals, maps and programs for the conservation, and promotion of the effective management, of natural resources such as groundwater, forests, productive agricultural areas, environmentally sensitive areas, threatened and endangered species, stream corridors, surface water, floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources, parks, open spaces, historical and cultural resources, community design, recreational resources and other natural resources.

(f) *Economic development element*. A compilation of objectives, policies, goals, maps and programs to promote the stabilization, retention or expansion, of the economic base and quality employment opportunities in the local governmental unit, including an analysis of the labor force and economic base of the local governmental unit. The element shall assess categories or particular types of new businesses and industries that are desired by the local governmental unit. The element shall assess the local governmental unit's strengths and weaknesses with respect to attracting and retaining businesses and industries, and shall designate an adequate number of sites for such businesses and industries. The element shall also evaluate and promote the use of environmentally contaminated sites for commercial or industrial uses. The element shall also identify county, regional and state economic development programs that apply to the local governmental unit.

(g) *Intergovernmental cooperation element*. A compilation of objectives, policies, goals, maps and programs for joint planning and decision making with other jurisdictions, including school districts and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts and adjacent local governmental units, and to the region, the state and other governmental units. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.

(h) *Land–use element*. A compilation of objectives, policies, goals, maps and programs to guide the future development and redevelopment of public and private property. The element shall contain a listing of the amount, type, intensity and net density of existing uses of land in the local governmental unit, such as agricultural, residential, commercial, industrial and other public and private uses. The element shall analyze trends in the supply, demand and price of land, opportunities for redevelopment and existing and potential land–use conflicts. The element shall contain projections, based on the background information specified in par. (a), for 20 years with detailed maps, in 5–year increments, of future residential, agricultural, commercial and industrial land uses including the assumptions of net densities or other spatial assumptions upon which the projections are based. The element shall also include a series of maps that shows current land uses and future land uses that indicate pro-

ductive agricultural soils, natural limitations for building site development, floodplains, wetlands and other environmentally sensitive lands, the boundaries of areas to which services of public utilities and community facilities, as those terms are used in par. (d), will be provided in the future, consistent with the timetable described in par. (d), and the general location of future land uses by net density or other classifications.

(i) *Implementation element*. A compilation of programs and specific actions to be completed in a stated sequence, including proposed changes to any applicable zoning ordinances, official maps, sign regulations, erosion and storm water control ordinances, historic preservation ordinances, site plan regulations, design review ordinances, building codes, mechanical codes, housing codes, sanitary codes or subdivision ordinances, to implement the objectives, policies, plans and programs contained in pars. (a) to (h). The element shall describe how each of the elements of the comprehensive plan will be integrated and made consistent with the other elements of the comprehensive plan, and shall include a mechanism to measure the local governmental unit's progress toward achieving all aspects of the comprehensive plan. The element shall include a process for updating the comprehensive plan. A comprehensive plan under this subsection shall be updated no less than once every 10 years.

(3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS. Beginning on January 1, 2010, any program or action of a local governmental unit that affects land use shall be consistent with that local governmental unit's comprehensive plan, including all of the following:

(a) Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.

(b) Annexation procedures under s. 66.021, 66.024 or 66.025.

(c) Cooperative boundary agreements entered into under s. 66.023.

(d) Consolidation of territory under s. 66.02.

(e) Detachment of territory under s. 66.022.

(f) Municipal boundary agreements fixed by judgment under s. 66.027.

(g) Official mapping established or amended under s. 62.23 (6).

(h) Local subdivision regulation under s. 236.45 or 236.46.

(i) Extraterritorial plat review within a city's or village's extraterritorial plat approval jurisdiction, as is defined in s. 236.02 (5).

(j) County zoning ordinances enacted or amended under s. 59.69.

(k) City or village zoning ordinances enacted or amended under s. 62.23 (7).

(L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.

(m) An improvement of a transportation facility that is undertaken under s. 84.185.

(n) Agricultural preservation plans that are prepared or revised under subch. IV of ch. 91.

(o) Impact fee ordinances that are enacted or amended under s. 66.55.

(p) Land acquisition for recreational lands and parks under s. 23.09 (20).

(q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231.

(r) Construction site erosion control and storm water management zoning under s. 59.693, 61.354 or 62.234.

(s) Any other ordinance, plan or regulation of a local governmental unit that relates to land use.

(4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit shall comply with all of the following before its comprehensive plan may take effect:

(a) The governing body of a local governmental unit shall adopt written procedures that are designed to foster public participation, including open discussion, communication programs, information services and public meetings for which advance notice has been provided, in every stage of the preparation of a comprehensive plan. The written procedures shall provide for wide distribution of proposed, alternative or amended elements of a comprehensive plan and shall provide an opportunity for written comments on the plan to be submitted by members of the public to the governing body and for the governing body to respond to such written comments.

(b) The planning commission or other body of a local governmental unit that is authorized to prepare or amend a comprehensive plan may recommend the adoption or amendment of a comprehensive plan only by adopting a resolution by majority vote. The vote shall be recorded in the official minutes of the planning commission or other body. The resolution shall refer to maps and other descriptive materials that relate to one or more elements of a comprehensive plan. One copy of an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to all of the following:

1. Every governmental body that is located in whole or in part within the boundaries of the local governmental unit.

2. Every local governmental unit that is adjacent to the local governmental unit which is the subject of the plan that is adopted or amended as described in par. (b) (intro.).

3. The Wisconsin land council.

4. After September 1, 2003, the department of administration.

(c) No recommended comprehensive plan that is adopted or amended under par. (b) may take effect until the plan or amendment is enacted as an ordinance by the local governmental unit. The local governmental unit may not enact an ordinance under this paragraph unless

the comprehensive plan contains all of the elements specified in sub. (2). An ordinance may be enacted under this paragraph only by a majority vote of the members–elect, as defined in s. 59.001 (2m), of the governing body. An ordinance that is enacted under this paragraph shall be filed with at least all of the following:

1. The public library that serves the area in which the local governmental unit is located.

2. The clerk of all adjacent local governmental units.

(d) No local governmental unit may enact an ordinance under par. (c) unless the local governmental unit holds at least one public hearing at which the proposed ordinance is discussed. That hearing must be preceded by a class 1 notice under ch. 985 that is published at least 30 days before the hearing is held. The local governmental unit may also provide notice of the hearing by any other means it considers appropriate. The class 1 notice shall contain at least the following information:

1. The date, time and place of the hearing.

2. A summary, which may include a map, of the proposed comprehensive plan or amendment to such a plan.

3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.

4. Information relating to where and when the proposed comprehensive plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.

SECTION 1606m. 66.034 of the statutes is created to read:

66.034 Traditional neighborhood developments and conservation subdivisions. (1) DEFINITIONS. In this section:

(a) "Conservation subdivision" means a housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of land are maintained to the greatest extent possible.

(b) "Extension" has the meaning given in s. 36.05 (7).

(c) "Traditional neighborhood development" means a compact, mixed–use neighborhood where residential, commercial and civic buildings are within close proximity to each other.

(2) MODEL ORDINANCES. (a) Not later than January 1, 2001, the extension, in consultation with any other University of Wisconsin System institution or with a landscape architect, as that term is used in s. 443.02 (5), or with independent planners or any other consultant with expertise in traditional neighborhood planning and development, shall develop a model ordinance for a traditional neighborhood development and an ordinance for a conservation subdivision.

(b) The model ordinances developed under par. (a) shall be presented to the chief clerk of each house of the legislature, and shall be referred immediately by the speaker of the assembly and the presiding officer of the senate to the appropriate standing committee in each house. The model ordinances shall be considered to have been approved by a standing committee if within 14 working days of the referral, the committee does not schedule a meeting for the purpose of reviewing the model ordinance. If the committee schedules a meeting for the purpose of reviewing the model ordinance, the ordinance may not be considered to have been approved unless the committee approves the model ordinance.

(3) CITY, VILLAGE AND TOWN REQUIREMENTS. (a) Not later than January 1, 2002, every city and village, and every town with a population of at least 12,500 shall enact an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance that is developed under sub. (2) (a) if the ordinance is approved under sub. (2) (b), although the ordinance is not required to be mapped. **Vetoed In Part**

(b) A city or village that comes into existence, or town whose population reaches at least 12,500, after January 1, 2002, shall enact an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance that is developed under sub. (2) (a) if the ordinance is approved under sub. (2) (b) not later than the first day of the 12th month beginning after the city or village comes into existence or after the town's population reaches at least 12,500, although the ordinance is not required to be mapped. **Vetoed In Part**

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 1608p. 66.085 (2) of the statutes is amended to read:

66.085 **(2)** INTERFERENCE PROHIBITED. The owner or manager of a multiunit dwelling under common ownership, control or management or of a mobile home park or the association or board of directors of a condominium may not prevent a cable operator from providing cable service to a subscriber who is a resident of the multiunit dwelling, mobile home park or of the condominium or interfere with a cable operator providing cable service to

a subscriber who is a resident of the multiunit dwelling, mobile home park or of the condominium.

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 informa-

tion assessment or a domestic abuse assessment shall be assessed. If the court rejects the plea of no contest, an action for collection of the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment may be commenced. A city, village, town sanitary district or public inland lake protection and rehabilitation district may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment.

SECTION 1615. 66.119 (3) (d) of the statutes is amended to read:

66.119 **(3)** (d) If the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, the court may issue a summons or warrant for the defendant's arrest or consider the nonappearance to be a plea of no contest and enter judgment accordingly if service was completed as provided under par. (e) or the county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district may commence an action for collection of the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment. A city, village, town sanitary district or public inland lake protection and rehabilitation district may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment. If the court considers the nonappearance to be a plea of no contest and enters judgment accordingly, the court shall promptly mail a copy or notice of the judgment to the defendant. The judgment shall allow the defendant not less than 20 days from the date of the judgment to pay any forfeiture, penalty assessment, jail assessment and crime laboratories and drug law enforcement assessment, any applicable consumer information assessment and any applicable domestic abuse assessment imposed. If the defendant moves to open the judgment within 6 months after the court appearance date fixed in the citation, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect, the court shall reopen the judgment, accept a not guilty plea and set a trial date.

SECTION 1616. 66.12 (1) (b) of the statutes is amended to read:

66.12 **(1)** (b) Local ordinances, except as provided in this paragraph or ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under those ordinances, and may designate the manner in which the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated official, the person need not appear in court and no witness fees or other additional costs may be taxed unless the local ordinance so provides. A court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall remit all moneys collected to the treasurer of the city, village, town sanitary district or public inland lake protection and rehabilitation district in whose behalf the sum was paid, except that all jail assessments shall be remitted to the county treasurer, within 20 days after its receipt by him or her; and in case of any failure in the payment, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05, the crime laboratories and drug law enforcement assessment imposed by s. 165.755, the driver improvement surcharge imposed by s. 346.655 (1), any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary district or public inland lake protection and rehabilitation district shall remit to the state treasurer the sum required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the city, village, town sanitary district or public inland lake protection and rehabilitation district shall by ordinance designate the official to receive the penalties and the terms under which the official shall qualify.

SECTION 1617. 66.12 (3) (b) of the statutes is amended to read:

66.12 **(3)** (b) All forfeitures and penalties recovered for the violation of any ordinance or bylaw of any city, village, town, town sanitary district or public inland lake protection and rehabilitation district shall be paid into the city, village, town, town sanitary district or public inland

lake protection and rehabilitation district treasury for the use of the city, village, town, town sanitary district or public inland lake protection and rehabilitation district, except as otherwise provided in par. (c), sub. (1) (b) and s. ~~165.87~~ 757.05. The judge shall report and pay into the treasury, quarterly, or at more frequent intervals if so required, all moneys collected belonging to the city, village, town, town sanitary district or public inland lake protection and rehabilitation district, which report shall be certified and filed in the office of the treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one of which he or she shall file with the city, village or town clerk or with the town sanitary district or the public inland lake protection and rehabilitation district.

SECTION 1617r. 66.184 of the statutes is amended to read:

66.184 Self–insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employes on a self–insured basis, the self–insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13), 632.896~~,~~ and 767.25 (4m) (d)~~, 767.51 (3m) (d) and 767.62 (4) (b) 4~~.

Vetoed In Part

SECTION 1618m. 66.293 (10) (a) of the statutes is amended to read:

66.293 **(10)** (a) Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor. If requested by any person, a contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall permit that person to inspect and copy any of those records to the same extent as the department would be required to permit inspection and copying of those records under ss. 19.31 to 19.39 if those records were in the custody of the department.

SECTION 1619. 66.299 (3) (a) 1. of the statutes is amended to read:

66.299 **(3)** (a) 1. A local governmental unit shall, to the extent practicable, make purchasing selections using specifications developed by state agencies under s. 16.72 (2) (e), except s. 16.72 (2) (e) 2., to maximize the purchase of products utilizing recycled or recovered materials.

Vetoed In Part

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 1621e. 66.307 (2) (a) of the statutes is amended to read:

Vetoed In Part

66.307 **(2)** (a) The governing body of a political subdivision, by a two–thirds vote of the members of the governing body who are present when the vote is taken, may enact an ordinance or adopt a resolution declaring itself to be a premier resort area if, except as provided in par. (e), at least 40% of the equalized assessed value of the taxable property within such political subdivision is used by tourism–related retailers.

SECTION 1621f. 66.307 (2) (e) of the statutes is created to read:

66.307 **(2)** (e) 1. The legislature finds the following with respect to the city of Eagle River:

a. It is extremely close to the 40% threshold described in par. (a).

b. It has an atypical percentage of tax–exempt land within its boundaries that is used for tourism–related purposes.

c. It is the site of national recreational competitions that draw tourism business to the entire northern region of this state.

2. The city of Eagle River may enact an ordinance or adopt a resolution declaring itself to be a premier resort area under par. (a) even if less than 40% of the equalized assessed value of the taxable property within Eagle River is used by tourism–related retailers.

SECTION 1630d. 66.431 (5r) of the statutes is created to read:

66.431 **(5r)** FINANCING OF CERTAIN SCHOOL FACILITIES. (a) *Legislative declaration.* The legislature determines that the development of new public schools will help alleviate the substandard conditions described in sub. (2) and will promote the sound growth and economic development of cities and enhance the education of youth in neighborhood settings. The legislature determines that the social and economic problems sought to be addressed are particularly acute in more densely populated areas. The legislature desires to make certain financing and economic tools available in 1st class cities with the view that

there are likely to be positive statewide benefits in light of the impact that 1st class cities have on the economy and welfare of the entire state.

(b) *Bond issuance for public school facilities.* The authority of a 1st class city may issue up to $170,000,000 in bonds to finance or refinance the development or redevelopment of sites and facilities to be used for public school facilities by the board of school directors of the school district operating under ch. 119 if all of the following apply:

1. The board of school directors of the school district operating under ch. 119 requests the issuance of the bonds to implement the report approved under 1999 Wisconsin Act .... (this act), section 9158 (7tw) (b).

2. The authority determines that the purposes of the financing are consistent with the 1st class city's master plan.

(c) *Terms and conditions.* The terms and conditions of bonds issued under this subsection shall be those specified in sub. (5) (a) 4. except that it shall not be necessary that the financed property be located in a project area or a blighted area. The bonds may not have a maturity in excess of 20 years and may not be issued later than the first day of the 60th month beginning after the effective date of this paragraph .... [revisor inserts date].

(d) *Designation of special debt service reserve funds.* The authority may designate one or more accounts in funds created under the resolution authorizing the issuance of bonds under this subsection as special debt service reserve funds if, prior to each issuance of bonds to be secured by the special debt service reserve fund, the secretary of administration determines that all of the following conditions are met with respect to the bonds:

1. 'Purpose.' The proceeds of the bonds, other than refunding bonds, will be used for public school facilities in the school district operating under ch. 119.

2. 'Feasibility.' There is a reasonable likelihood that the bonds will be repaid without the necessity of drawing on funds in the special debt service reserve fund that secures the bonds. The secretary of administration may make this determination of reasonable likelihood only after considering all of the following:

a. The extent to which and manner by which revenues of the school district operating under ch. 119 are pledged to the payment of the bonds.

c. The proposed interest rates of the bonds and the resulting cash–flow requirements.

d. The projected ratio of annual pledged revenues from the school district operating under ch.119 to annual debt service on the bonds, taking into account capitalized interest.

e. Whether an understanding exists providing for repayment by the authority to the state of all amounts appropriated to the special debt service reserve fund pursuant to par. (j).

f. Whether the authority has agreed that the department of administration will have direct and immediate access, at any time and without notice, to all records of the authority relating to the bonds.

3. 'Limit on bonds issued.' The principal amount of all bonds, other than refunding bonds, that would be secured by all special debt service reserve funds of the authority will not exceed $170,000,000.

4. 'Refunding bonds.' All refunding bonds to be secured by the special debt service reserve fund meet all of the following conditions:

a. The refunding bonds are to be issued to fund, refund or advance refund bonds secured by a special debt service reserve fund.

b. The refunding will not adversely affect the risk that the state will be called on to make a payment under par. (j).

5. 'Approval of outstanding debt.' All outstanding bonds of the authority issued under this subsection have been reviewed and approved by the secretary of administration. In determining whether to approve outstanding bonds under this subdivision, the secretary may consider any factor which the secretary determines to have a bearing on whether the state moral obligation pledge under par. (j) should be granted with respect to an issuance of bonds.

6. 'Financial reports.' The authority has agreed to provide to the department of administration all financial reports of the authority and all regular monthly statements of any trustee of the bonds on a direct and ongoing basis.

(e) *Payment of funds into a special debt service reserve fund.* The authority shall pay into any special debt service reserve fund of the authority any moneys appropriated and made available by the state for the purposes of the special debt service reserve fund, any proceeds of a sale of bonds to the extent provided in the bond resolution authorizing the issuance of the bonds and any other moneys that are made available to the authority for the purpose of the special debt service reserve fund from any other source.

(f) *Use of moneys in the special debt service reserve fund.* All moneys held in any special debt service reserve fund of the authority for bonds issued under this subsection, except as otherwise specifically provided, shall be used solely for the payment of the principal of the bonds, the making of sinking fund payments with respect to the bonds, the purchase or redemption of the bonds, the payment of interest on the bonds or the payment of any redemption premium required to be paid when the bonds are redeemed prior to maturity. If moneys in a special debt service reserve fund at any time are less than the special debt service reserve fund requirement under par. (h) for the special debt service reserve fund, the authority may not use these moneys for any optional purchase or

optional redemption of the bonds. Any income or interest earned by, or increment to, any special debt service reserve fund due to the investment of moneys in the special debt service reserve fund may be transferred by the authority to other funds or accounts of the authority relating to the bonds to the extent that the transfer does not reduce the amount of the special debt service reserve fund below the special debt service reserve fund requirement under par. (h) for the special debt service reserve fund.

(g) *Limitation on bonds secured by a special debt service reserve fund.* The authority shall accumulate in each special debt service reserve fund an amount equal to the special debt service reserve fund requirement under par. (h) for the special debt service reserve fund. The authority may not at any time issue bonds under this subsection secured in whole or in part by a special debt service reserve fund if upon the issuance of these bonds the amount in the special debt service reserve fund will be less than the special debt service reserve fund requirement under par. (h) for the special debt service reserve fund.

(h) *Special debt service reserve fund requirement.* The special debt service reserve fund requirement for a special debt service reserve fund, as of any particular date of computation, is equal to an amount of money, as provided in the bond resolution authorizing bonds under this subsection with respect to which the special debt service reserve fund is established, that may not exceed the maximum annual debt service on the bonds of the authority for that fiscal year or any future fiscal year of the authority secured in whole or in part by that special debt service reserve fund. In computing the annual debt service for any fiscal year, bonds deemed to have been paid in accordance with the defeasance provisions of the bond resolution authorizing the issuance of the bonds shall not be included in bonds outstanding on such date of computation. The annual debt service for any fiscal year is the amount of money equal to the aggregate of all of the following calculated on the assumption that the bonds will, after the date of computation, cease to be outstanding by reason, but only by reason, of the payment of bonds when due, and the payment when due, and application in accordance with the bond resolution authorizing those bonds, of all of the sinking fund payments payable at or after the date of computation:

1. All interest payable during the fiscal year on all bonds that are secured in whole or in part by the special debt service reserve fund and that are outstanding on the date of computation.

2. The principal amount of all of the bonds that are secured in whole or in part by the special debt service reserve fund, are outstanding on the date of computation and mature during the fiscal year.

3. All amounts specified in bond resolutions of the authority authorizing any of the bonds that are secured in whole or in part by the special debt service reserve fund to be payable during the fiscal year as a sinking fund payment with respect to any of the bonds that mature after the fiscal year.

(i) *Valuation of securities.* In computing the amount of a special debt service reserve fund for the purposes of this subsection, securities in which all or a portion of the special debt service reserve fund is invested shall be valued at par, or, if purchased at less than par, at their cost to the authority.

(j) *State moral obligation pledge.* If at any time of valuation the special debt service reserve fund requirement under par. (h) for a special debt service reserve fund exceeds the amount of moneys in the special debt service reserve fund, the authority shall certify to the secretary of administration, the governor and the joint committee on finance the amount necessary to restore the special debt service reserve fund to an amount equal to the special debt service reserve fund requirement under par. (h) for the special debt service reserve fund. If this certification is received by the secretary of administration in an even–numbered year prior to the completion of the budget compilation under s. 16.43, the secretary shall include the certified amount in the budget compilation. In any case, the joint committee on finance shall introduce in either house, in bill form, an appropriation of the amount so certified to the appropriate special debt service reserve fund of the authority. Recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that, if ever called upon to do so, it shall make this appropriation. This paragraph applies only to bonds issued under, and in compliance with, this subsection.

(k) *Minority contracting provisions.* 1. With regard to a public school construction project that is financed from the proceeds of bonds that are issued under this subsection, a person who is awarded a contract for construction work or professional services shall agree, as a condition to receiving the contract, that at least 50% of the employes hired because of the contract will be minority group members, as defined in s. 560.036 (1) (f). **Vetoed In Part**

2. With regard to a public school construction project that is financed from the proceeds of bonds that are issued under this subsection, at least 50% of the aggregate dollar value of contracts awarded shall be awarded to minority businesses, as defined in s. 560.036 (1) (e), in the following areas:

a. Contracts for the construction of a public school.

b. Contracts for professional services related to the construction of a public school.

(L) *Types of schools.* The proceeds of bonds issued under this subsection may not be used for middle schools, for charter or private schools or for modular schools. **Vetoed In Part**

Section 1630e. 66.46 (2) (f) 1. L. of the statutes is created to read:

66.46 **(2)** (f) 1. L. Costs for the removal, or containment, of lead contamination in buildings or infrastructure

if the city declares that such lead contamination is a public health concern.

SECTION 1630ed. 66.46 (4) (h) 1. of the statutes is amended to read:

66.46 **(4)** (h) 1. Subject to subds. 2. ~~and~~, 3. and 4., the planning commission may at any time, by resolution, adopt an amendment to a project plan, which amendment shall be subject to approval by the local legislative body and approval of the amendment shall require the same findings as provided in par. (g). Any amendment to a project plan is also subject to review by a joint review board, acting under sub. (4m). Adoption of an amendment to a project plan shall be preceded by a public hearing held by the plan commission at which interested parties shall be afforded a reasonable opportunity to express their views on the amendment. Notice of the hearing shall be published as a class 2 notice, under ch. 985. The notice shall include a statement of the purpose and cost of the amendment and shall advise that a copy of the amendment will be provided on request. Prior to such publication, a copy of the notice shall be sent by 1st class mail to the chief executive officer or administrator of all local governmental entities having the power to levy taxes on property within the district and to the school board of any school district which includes property located within the proposed district. For any county with no chief executive officer or administrator, this notice shall be sent to the county board chairperson.

SECTION 1630ef. 66.46 (4) (h) 2. of the statutes is amended to read:

66.46 **(4)** (h) 2. Except as provided in ~~subd.~~ subds. 3. and 4., not more than once during the 7 years after the tax incremental district is created, the planning commission may adopt an amendment to a project plan under subd. 1. to modify the district's boundaries by adding territory to the district that is contiguous to the district and that is served by public works or improvements that were created as part of the district's project plan. Expenditures for project costs that are incurred because of an amendment to a project plan to which this subdivision applies may be made for not more than 3 years after the date on which the local legislative body adopts a resolution amending the project plan.

SECTION 1630eh. 66.46 (4) (h) 4. of the statutes is created to read:

66.46 **(4)** (h) 4. With regard to a village that has a population of less than 10,000, was incorporated in 1914 and is located in a county that has a population of less than 25,000 and that contains a portion of the Yellow River and the Chequamegan Waters Flowage, not more than once during the 11 years after the tax incremental district is created, the planning commission may adopt an amendment to a project plan under subd. 1. to modify the district's boundaries by adding territory to the district that is contiguous to the district and that is to be served by public works or improvements that were created as part of the district's project plan. Expenditures for project costs that are incurred because of an amendment to a project plan to which this subdivision applies may be made for not more than 5 years after the date on which the local legislative body adopts a resolution amending the project plan.

SECTION 1630em. 66.46 (4m) (b) 2. of the statutes is amended to read:

66.46 **(4m)** (b) 2. ~~No~~ Except as provided in subd. 2m., no tax incremental district may be created and no project plan may be amended unless the board approves the resolution adopted under sub. (4) (gm) or (h) 1. by a majority vote not less than 10 days nor more than 30 days after receiving the resolution.

SECTION 1630f. 66.46 (4m) (b) 2m. of the statutes is created to read:

66.46 **(4m)** (b) 2m. The requirement under subd. 2. that a vote by the board take place not less than 10 days nor more than 30 days after receiving a resolution does not apply to a resolution amending a project plan under sub. (4) (h) 1. if the resolution relates to a tax incremental district, the application for the redetermination of the tax incremental base of which was made in 1998, that is located in a village that was incorporated in 1912, has a population of at least 3,800 and is located in a county with a population of at least 108,000.

SECTION 1630h. 66.46 (5) (bf) of the statutes is created to read:

66.46 **(5)** (bf) Notwithstanding the time limits in par. (b), if the city clerk of a city that created a tax incremental district in July 1997 files with the department of revenue, not later than May 31, 1999, the forms and application that were originally due on or before December 31, 1997, the tax incremental base of the district shall be calculated by the department of revenue as if the forms and application had been filed on or before December 31, 1997, and, until the tax incremental district terminates, the department of revenue shall allocate tax increments and treat the district in all other respects as if the forms and application had been filed on or before December 31, 1997, except that the department may not certify a value increment under par. (b) before 1999.

SECTION 1630he. 66.46 (5) (c) of the statutes is amended to read:

66.46 **(5)** (c) If the city adopts an amendment to the original project plan for any district which includes additional project costs at least part of which will be incurred after the period specified in sub. (6) (am) 1., the tax incremental base for the district shall be redetermined, if sub. (4) (h) 2. ~~or~~, 3. or 4. applies to the amended project plan, by adding to the tax incremental base the value of the taxable property that is added to the existing district under sub. (4) (h) 2. ~~or~~, 3. or 4. or, if sub. (4) (h) 2. ~~or~~, 3. or 4. does not apply to the amended project plan, under par. (b), as of the January 1 next preceding the effective date of the amendment if the amendment becomes effective

between January 2 and September 30, as of the next subsequent January 1 if the amendment becomes effective between October 1 and December 31 and if the effective date of the amendment is January 1 of any year, the redetermination shall be made on that date. The tax incremental base as redetermined under this paragraph is effective for the purposes of this section only if it exceeds the original tax incremental base determined under par. (b).

SECTION 1630hh. 66.46 (5) (ce) of the statutes is amended to read:

66.46 **(5)** (ce) If the city adopts an amendment, to which sub. (4) (h) 2. ~~or~~, 3. or 4. applies, the tax incremental base for the district shall be redetermined, by adding to the tax incremental base the value of the taxable property that is added to the existing district under sub. (4) (h) 2. ~~or~~, 3. or 4., as of the January 1 next preceding the effective date of the amendment if the amendment becomes effective between January 2 and September 30, as of the next subsequent January 1 if the amendment becomes effective between October 1 and December 31 and if the effective date of the amendment is January 1 of any year, the redetermination shall be made on that date. The tax incremental base as redetermined under this paragraph is effective for the purposes of this section only if it exceeds the original tax incremental base determined under par. (b).

SECTION 1630j. 66.46 (5) (cf) of the statutes is created to read:

66.46 **(5)** (cf) If the city adopts an amendment to a plan, to which sub. (4m) (b) 2m. applies, the tax incremental base for the district shall be redetermined by adding to the tax incremental base the value, as of January 1, 1998, of the taxable property that is added to the existing district under sub. (4) (h) 1.

Vetoed In Part

SECTION 1630k. 66.46 (6) (a) of the statutes is amended to read:

66.46 **(6)** (a) If the joint review board approves the creation of the tax incremental district under sub. (4m), positive tax increments with respect to a tax incremental district are allocated to the city which created the district for each year commencing after the date when a project plan is adopted under sub. (4) (g). The department of revenue shall not authorize allocation of tax increments until it determines from timely evidence submitted by the city that each of the procedures and documents required under sub. (4) (d) to (f) have been completed and all related notices given in a timely manner. The department of revenue may authorize allocation of tax increments for any tax incremental district only if the city clerk and assessor annually submit to the department all required information on or before the 2nd Monday in June. The facts supporting any document adopted or action taken to comply with sub. (4) (d) to (f) shall not be subject to review by the department of revenue under this paragraph. Thereafter, the department of revenue shall annually authorize allocation of the tax increment to the city that created such a district until the department of revenue receives a notice under sub. (8) and the notice has taken effect under sub. (8) (b), 27 years after the tax incremental district is created if the district is created before October 1, 1995, 38 years after the tax incremental district is created if the district is created before October 1, 1995, and the project plan is amended under sub. (4) (h) 3. or 4. or 23 years after the tax incremental district is created if the district is created after September 30, 1995, whichever is sooner.

Vetoed In Part

SECTION 1630ke. 66.46 (6) (am) 2. c. of the statutes is created to read:

66.46 **(6)** (am) 2. c. Expenditures for project costs for Tax Incremental District Number Six in a city with a population of at least 45,000 that is located in a county that was created in 1853 and that is adjacent to one of the Great Lakes. Such expenditures may be made no later than 13 years after the tax incremental district is created, and may be made through December 31, 2004.

SECTION 1630kf. 66.46 (6) (e) 1. b. of the statutes is amended to read:

66.46 **(6)** (e) 1. b. ~~The~~ Except as provided in subd. 1. c., the donor tax incremental district and the recipient tax incremental district have been created before October 1, 1995.

SECTION 1630ki. 66.46 (6) (e) 1. c. of the statutes is created to read:

66.46 **(6)** (e) 1. c. With respect to a tax incremental district that has been created by a 1st class city, the donor tax incremental district and the recipient tax incremental district have been created before October 1, 1996.

SECTION 1630m. 66.46 (6c) of the statutes is amended to read:

66.46 **(6c)** NOTIFICATION OF POSITION OPENINGS. (a) Any person who operates for profit and is paid project costs under sub. (2) (f) 1. a., d., j. and k. in connection with the project plan for a tax incremental district shall notify the department of workforce development and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any positions to be filled in the county in which the city which created the tax incremental district is located during the period commencing with the date the person first performs work on the project and ending one year after receipt of its final payment of project costs. The person shall provide this notice at least 2 weeks prior to advertising the position.

(b) Any person who operates for profit and buys or leases property in a tax incremental district from a city for which the city incurs real property assembly costs under sub. (2) (f) 1. c. shall notify the department of workforce development and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29

USC 2832, of any position to be filled in the county in which the city creating the tax incremental district is located within one year after the sale or commencement of the lease. The person shall provide this notice at least 2 weeks prior to advertising the position.

SECTION 1630q. 66.46 (7) (ar) of the statutes is amended to read:

66.46 **(7)** (ar) Notwithstanding par. (am), 22 years after the last expenditure identified in the project plan is made if the district to which the plan relates is created before October 1, 1995, and the project plan is amended under sub. (4) (h) 3, or 4.

SECTION 1632. 66.462 (1) (c) of the statutes is amended to read:

66.462 **(1)** (c) "Eligible costs" means capital costs, financing costs and administrative and professional service costs, incurred or estimated to be incurred by a political subdivision, for the investigation, removal, containment or monitoring of, or the restoration of soil, air, surface water, sediments or groundwater affected by, environmental pollution, including monitoring costs incurred within 2 years after the date on which the department of natural resources certifies that environmental pollution on the property has been remediated, cancellation of delinquent taxes, property acquisition costs, demolition costs including asbestos removal, and removing and disposing of underground storage tanks or abandoned containers, as defined in s. 292.41 (1), except that for any parcel of land "eligible costs" shall be reduced by any amounts received from persons responsible for the discharge, as defined in s. 292.01 (3), of a hazardous substance on the property to pay for the costs of remediating environmental pollution on the property, by any amounts received, or reasonably expected by the political subdivision to be received, from a local, state or federal program for the remediation of contamination in the district that do not require reimbursement or repayment and by the amount of net gain from the sale of the property by the political subdivision. "Eligible costs" associated with groundwater affected by environmental pollution include investigation and remediation costs for groundwater that is located in, and extends beyond, the property that is being remediated.

Vetoed In Part

SECTION 1634a. 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 located within the political subdivision and that are not part of a tax incremental district created under s. 66.46 ~~and that is owned by the political subdivision at the time of the remediation and then transferred to another person after the property is remediated~~, as provided in this section, except that a political subdivision may use an environmental remediation tax increment to pay the cost of remediating environmental pollution of groundwater without regard to whether the property above the groundwater is owned by the political subdivision. No political subdivision may submit an application to the department under sub. (4) until the joint review board approves the political subdivision's written proposal under sub. (3).

SECTION 1634c. 66.462 (2) (b) of the statutes is created to read:

66.462 **(2)** (b) No expenditure for an eligible cost may be made by a political subdivision later than 15 years after the environmental remediation tax incremental base is certified by the department under sub. (4).

SECTION 1635. 66.462 (3) (a) of the statutes is amended to read:

66.462 **(3)** (a) Any political subdivision that seeks to use an environmental remediation tax increment under sub. (2) shall convene a joint review board to review the proposal. The board shall consist of one representative chosen by the school district that has power to levy taxes on the property that is remediated, one representative chosen by the technical college district that has power to levy taxes on the property, one representative chosen by the county that has power to levy taxes on the property that is remediated, one representative chosen by the ~~political subdivision~~ city, village or town that has power to levy taxes on the property that is remediated and one public member. If more than one city, village or town, more than one school district, more than one technical college district or more than one county has the power to levy taxes on the property that is remediated, the unit in which is located property that has the greatest value shall choose that representative to the board. The public member and the board's chairperson shall be selected by a majority of the other board members at the board's first meeting. All board members shall be appointed and the first board meeting held within 14 days after the political subdivision's governing body approves the written proposal under sub. (2). Additional meetings of the board shall be held upon the call of any member. The political subdivision that seeks to act under sub. (2) shall provide administrative support for the board. By majority vote, the board may disband following approval or rejection of the proposal.

SECTION 1636. 66.462 (4) (a) of the statutes is amended to read:

66.462 **(4)** (a) The political subdivision submits a statement that it has incurred some eligible costs, and includes with the statement a detailed proposed remedial action plan approved by the department of natural resources that contains cost estimates for anticipated eligible costs and a schedule for the design, implementation and construction that is needed to complete the remedi-

ation, with respect to the parcel or contiguous parcels of property and the statement details the purpose and amount of the expenditures already made and includes a dated certificate issued by the department of natural resources that certifies that ~~environmental pollution on the parcel of property has been remediated~~ the department of natural resources has approved the site investigation report that relates to the parcel or contiguous parcels in accordance with rules promulgated by the department of natural resources.

SECTION 1636e. 66.462 (4) (c) of the statutes is amended to read:

66.462 **(4)** (c) The political subdivision submits a statement, signed by its chief executive officer, that the political subdivision has attempted to recover the cost of remediating environmental pollution on the property from ~~responsible parties~~ the person who caused the environmental pollution.

SECTION 1636s. 66.462 (7) (a) of the statutes is amended to read:

66.462 **(7)** (a) Subject to pars. (b) ~~and~~, (c) and (d), the department shall annually authorize the positive environmental remediation tax increment with respect to a parcel of property during the period of certification to the political subdivision that incurred the costs to remediate environmental pollution on the property, except that an authorization granted under this paragraph does not apply after the department receives the notice described under sub. (10) (b).

SECTION 1636u. 66.462 (7) (d) of the statutes is created to read:

66.462 **(7)** (d) 1. The department may not authorize a positive environmental remediation tax increment under par. (a) to pay otherwise eligible costs that are incurred by the political subdivision after the department of natural resources certifies to the department of revenue that environmental pollution on the parcel of property has been remediated unless the costs are associated with activities, as determined by the department of natural resources, that are necessary to close the site described in the site investigation report.

2. The department of natural resources shall certify to the department of revenue the completion of the remediation of environmental pollution at the site described in the site investigation report.

SECTION 1637t. 66.521 (6m) of the statutes is amended to read:

66.521 **(6m)** NOTIFICATION OF POSITION OPENINGS. A municipality may not enter into a revenue agreement with any person who operates for profit unless that person has agreed to notify the department of workforce development and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any position to be filled in that municipality within one year after issuance of the revenue bonds. The person shall provide this notice at least 2 weeks before advertising the position. The notice required by this subsection does not affect the offer of employment requirements of sub. (4s).

SECTION 1638m. 66.75 (1m) (f) 3. of the statutes is amended to read:

66.75 **(1m)** (f) 3. From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute ~~97%~~ 97.45% of the taxes collected under this paragraph for each district to that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this paragraph shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Any district that receives a report along with a payment under this subdivision or subd. 2. is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

SECTION 1641m. 66.904 (2) (a) of the statutes is amended to read:

66.904 **(2)** (a) Except for a contract awarded under pars. (f) to (j) and except as provided in par. (b), all work done and all purchases of supplies and materials by the commission shall be by contract awarded to the lowest responsible bidder complying with the invitation to bid, if the work or purchase involves an expenditure of ~~$7,500~~ $20,000 or more. If the commission decides to proceed with construction of any sewer after plans and specifications for the sewer are completed and approved by the commission and by the department of natural resources under ch. 281, the commission shall advertise by a class 2 notice under ch. 985 for construction bids. All contracts and the awarding of contracts are subject to s. 66.29, except for a contract awarded under pars. (f) to (j). **Vetoed In Part**

Vetoed In Part

SECTION 1641no. 66.904 (2) (e) of the statutes is amended to read: **Vetoed In Part**

66.904 **(2)** (e) Paragraphs (a) to (d) do not apply to contracts awarded under s. 66.905. Paragraphs (f) to (j) do apply to contracts awarded under s. 66.905.

SECTION 1641q. 66.904 (2) (f) to (j) of the statutes are created to read:

66.904 **(2)** (f) In this subsection, "design–build construction process" means a procurement process under which the engineering, design and construction services are provided by a single entity under a process described under par. (g).

(g) If the commission wishes to construct a public work under par. (j) using the design–build construction process, the commission shall use a selection process that contains the following procedures:

1. The commission shall issue a request for proposals from design–build teams by publishing a class 1 notice under ch. 985. The notice shall include a project

Vetoed In Part

statement that describes the space needs and design goals for the project, detailed submission requirements, selection procedures, site information, an outline of specifications for the project, a budget for the project, a project schedule, the composition of the selection panel, the approximate amount of the bond that the commission will require under par. (h) and whether the commission will offer a stipend to unsuccessful design–build teams and, if so, the amount of the stipend.

Vetoed In Part

2. Following receipt of the proposals, the commission shall select 5 or less design–build teams to participate in the final stage of the selection process. The selection of teams under this subdivision shall be based on factors that include the background, experience and qualifications of the members of the teams; the financial strength and surety capacity of the teams; the quality of the initial proposal; and the past performance and current workload of the teams. The commission selection panel that selects the teams under this subdivision for the final selection process under subd. 3. may include design and construction professionals who work for the commission or are hired by the commission to assist in the selection, commissioners and representatives from the unit of the commission that will use the facility that is to be constructed under the selection process described in this paragraph.

3. The commission shall make a final selection from among the teams selected under subd. 2. if the commission determines that at least one of the teams selected as a finalist under subd. 2. will be able to construct the public work in a way that is satisfactory to the commission. The final selection shall be made following interviews and presentations from the finalists, based on criteria that are published as a class 1 notice under ch. 985. The notice shall state the weight that is given to each criterion. The criteria to be used in making a final selection under this subdivision may include the quality of the proposed design, the construction approach to be used to complete the project, the extent to which a proposal demonstrates compliance with the project statement described under subd. 1., the proposed management plan for the project, the estimated cost of the project and a guaranteed maximum price for the project.

(h) If the commission selects a design–build team under par. (g) 3. and enters into a contract for the construction of the project, the design–build team shall obtain bonding, in an amount specified by the commission, to guarantee completion of the project according to the terms of the contract.

(i) 1. In this paragraph:

a. "Minority business" has the meaning given in s. 560.036 (1) (e).

b. "Minority group member" has the meaning given in s. 560.036 (1) (f).

Vetoed In Part

c. "Women's business" means a sole proprietorship, partnership, joint venture or corporation that is at least 51% owned, controlled and actively managed by women.

2. The commission shall ensure that, for construction work and professional services contracts that relate to a public work under par. (j) for which the design–build construction process is used, a person who is awarded such a contract by the commission shall agree, as a condition to receiving the contract, that his or her goal shall be to ensure that at least 25% of the employes hired because of the contract will be minority group members and at least 5% of the employes hired because of the contract will be women.

3. It shall be a goal of the commission to ensure that at least 25% of the aggregate dollar value of all contracts awarded by the commission in the following areas shall be awarded to minority businesses and at least 5% of the aggregate dollar value of all contracts awarded by the commission in the following areas shall be awarded to women's businesses:

a. Construction contracts that relate to a public work under par. (j) for which the design–build construction process is used.

b. Professional services contracts that relate to a public work under par. (j) for which the design–build construction process is used.

4. It shall be a goal of the commission, with regard to each of the contracts described under subd. 3. a. and b., to award at least 25% of the dollar value of such contracts to minority businesses and at least 5% of the dollar value of such contracts to women's businesses.

5. a. The commission shall hire an independent person to monitor the commission's compliance with minority contracting goals under subds. 2., 3. and 4. The person hired shall have previous experience working with minority group members. The commission shall develop a mechanism to receive regular reports from the person hired with respect to the results of the person's studies of compliance with minority contracting goals.

b. If the commission or a contractor is unable to meet the goals under subd. 2., 3. or 4., the person hired under subd. 5. a. shall assess whether the commission or contractor made a good faith effort to reach the goals. In determining whether a good faith effort was made to meet the goals, the person hired shall consider all of the factors listed in subd. 6.

6. The factors to be considered under subd. 5. b. are:

a. The supply of eligible minority businesses and women's businesses that have the financial capacity, technical capacity and previous experience in the areas in which contracts were awarded.

b. The competing demands for the services provided by eligible minority businesses and women's businesses,

Vetoed In Part

as described in subd. 6. a., in areas in which contracts were awarded.

c. The extent to which the commission or contractors advertised for and aggressively solicited bids from eligible minority businesses and women's businesses, as described in subd. 6. a., and the extent to which eligible minority businesses and women's businesses submitted bids.

(j) Any contract for public construction under sub. (1), for any of the following projects, may be let using the design–build construction process:

1. Central metropolitan interceptor sewer projects.

2. Any projects that are required to implement the department of natural resources–approved 2010 facility plan.

3. Watercourse flood control projects for any of the following:

a. Menomonee River.

b. Root River.

c. Kinnickinnic River.

d. Lincoln Creek.

SECTION 1642m. 66.94 (9m) of the statutes is created to read:

66.94 **(9m)** LIMIT ON CONTRACTING FOR LIGHT RAIL. Notwithstanding any other provision of this section, no authority may enter into a contract for any purpose related to a light rail mass transit system if the cost of any of the contracted items would be paid for by, or reimbursed with, federal funds received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or any funds received from the state. This subsection does not apply to any light rail mass transit system that is being constructed on the effective date of this subsection .... [revisor inserts date]. This subsection does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was executed by the governor, the secretary of transportation, the secretary of natural resources, the county executive of Dane County, the administrative coordinator of Sauk County, and others, and that became effective on April 22, 1999. This subsection does not apply after June 30, 2001.

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 1647c. 67.04 (5) (b) 4. of the statutes is created to read:

67.04 **(5)** (b) 4. To pay unfunded prior service liability contributions under the Wisconsin retirement system if all of the proceeds of the note will be used to pay for such contributions.

SECTION 1648g. 67.05 (6m) (intro.) of the statutes is amended to read:

67.05 **(6m)** HEARING AND REFERENDUM IN TECHNICAL COLLEGE DISTRICTS. (intro.) ~~Prior~~ Unless sub. (7) (k) applies, prior to the adoption of an initial resolution under sub. (1), the technical college district board shall adopt a resolution stating its intention to borrow money for the purposes specified in s. 38.16 (2) and setting a date, time and place for a public hearing on the resolution adopted under this subsection which shall be held within 30 days after its adoption. The technical college district secretary immediately shall publish a copy of the resolution adopted under this subsection as a class 1 notice, under ch. 985.

SECTION 1648m. 67.05 (7) (k) of the statutes is created to read:

67.05 **(7)** (k) Subsection (6m) does not apply to an initial resolution adopted by a technical college district board to purchase or construct a facility to be used as an applied technology center to which s. 38.15 (3) (c) applies.

SECTION 1649. 67.12 (12) (a) of the statutes is amended to read:

67.12 **(12)** (a) Any municipality may issue promissory notes as evidence of indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not limited to paying any general and current municipal expense, and refunding any municipal obligations, including interest on them. Each note, plus interest if any, shall be repaid within 10 years after the original date of the note, except that notes issued under this section for purposes of ss. 145.245 (12m), 281.58 ~~and~~, 281.59, 281.595, 281.60 and 281.61, or to raise funds to pay a portion of the capital costs of a metropolitan sewerage district, shall be repaid within 20 years after the original date of the note.

Vetoed In Part

SECTION 1649m. 67.12 (12) (k) of the statutes is created to read:

67.12 **(12)** (k) Paragraph (e) 5. does not apply to borrowing by a technical college district board to purchase or construct a facility to be used as an applied technology center if s. 38.15 (3) (c) applies.

SECTION 1649r. 69.22 (1) (c) of the statutes is amended to read:

Vetoed In Part

69.22 **(1)** (c) ~~Twelve~~ Fourteen dollars for issuing a copy of a birth certificate, $1.40 of which shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the appropriation under s. 20.435 (5) (jk) and $7 of which shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h).

SECTION 1649s. 69.22 (1) (c) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

69.22 **(1)** (c) Twelve dollars for issuing a copy of a birth certificate, $7 of which shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h).

SECTION 1650. 69.30 (1) (am) of the statutes is created to read:

69.30 **(1)** (am) "Family care district" has the meaning given in s. 46.2805 (5).

SECTION 1651. 69.30 (2) of the statutes is amended to read:

69.30 **(2)** A financial institution, state agency, county department, Wisconsin works agency ~~or~~, service office or family care district or an employe of a financial institution, state agency, county department, Wisconsin works agency ~~or~~, service office or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy of a vital record for use by the financial institution, state agency, county department, Wisconsin works agency ~~or~~, service office or family care district, including use under s. 45.36 (4m), if the copy is marked "FOR ADMINISTRATIVE USE".

SECTION 1652. 70.11 (2) of the statutes is amended to read:

70.11 **(2)** MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION. Property owned by any county, city, village, town, school district, technical college district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22, joint local water authority created under s. 66.0735, family care district under s. 46.2895 or town sanitary district; lands belonging to cities of any other state used for public parks; land tax–deeded to any county or city before January 2; but any residence located upon property owned by the county for park purposes which is rented out by the county for a

nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable.

SECTION 1653. 70.11 (35) of the statutes is amended to read:

70.11 **(35)** CULTURAL AND ARCHITECTURAL LANDMARKS. Property described in s. 234.935 (1), 1997 stats.

Vetoed In Part

SECTION 1653b. 70.11 (39) of the statutes is amended to read:

70.11 **(39)** COMPUTERS. If the owner of the property fulfills the requirements under s. 70.35, mainframe computers, minicomputers, personal computers, networked personal computers, servers, terminals, monitors, disk drives, electronic peripheral equipment, tape drives, printers, basic operational programs, systems software, prewritten software and custom software. The exemption under this subsection does not apply to automatic teller machines, fax machines, copiers, equipment with embedded computerized components or telephone systems, including equipment that is used to provide telecommunications services, as defined in s. 76.80 (3).

SECTION 1653dm. 70.111 (3) of the statutes is amended to read:

70.111 **(3)** BOATS. Watercraft employed regularly in interstate traffic~~. Watercraft~~, watercraft laid up for repairs~~. All~~, all pleasure watercraft used for recreational purposes~~. Commercial~~, commercial fishing boats~~. Charter~~ and equipment that is used by commercial fishing boats, charter sailboats and charter boats, other than sailboats, that are used for tours.

SECTION 1653d. 70.111 (24) of the statutes is created to read:

70.111 **(24)** MOTION PICTURE THEATER EQUIPMENT. Projection equipment, sound systems and projection screens that are owned and used by a motion picture theater.

SECTION 1653f. 70.111 (25) of the statutes is created to read:

70.111 **(25)** DIGITAL BROADCASTING EQUIPMENT. Digital broadcasting equipment owned and used by a radio station or a television station, except that this subsection does not apply to digital broadcasting equipment that is owned and used by a cable television system, as defined in s. 66.082 (2) (d).

SECTION 1655m. 70.32 (1g) of the statutes is amended to read:

70.32 **(1g)** In addition to the factors set out in sub. (1), the assessor shall consider the effect on the value of the property of any zoning ordinance under s. 59.692, 61.351 or 62.231, any conservation easement under s. 700.40, any conservation restriction under an agreement with the federal government and any restrictions under ch. 91. Beginning with the property tax assessments as of January 1, 2000, the assessor may not consider the effect on the value of the property of any federal income tax credit that is extended to the property owner under section 42 of the Internal Revenue Code.

SECTION 1655L. 70.32 (2) (c) 1. of the statutes is amended to read: **Vetoed In Part**

70.32 **(2)** (c) 1. "Agricultural land" means land, exclusive of buildings and improvements, that is devoted primarily to agricultural use, as defined by rule, except that "agricultural land" does not include land that generated less than $2,000 in gross farm profits resulting from agricultural use as defined under s. 91.01 (1) in the preceding year.

SECTION 1655p. 70.337 (5) of the statutes is amended to read:

70.337 **(5)** Each person that is required to file a report under sub. (1) shall pay a reasonable fee that is sufficient to defray the costs to the taxation district of distributing and reviewing the forms under sub. (1) and of preparing the form for the department of revenue under sub. (2). The amount of the fee shall be established by the governing body of the taxation district. This subsection does not apply to a church or religious association that is required to file a report under sub. (1). **Vetoed In Part**

SECTION 1660m. 70.58 of the statutes is amended to read:

70.58 Forestation state tax. There is levied an annual tax of two–tenths of one mill for each dollar of the assessed valuation of the property of the state as determined by the department of revenue under s. 70.57, for the purpose of acquiring, preserving and developing the forests of the state and for the purpose of forest crop law and county forest law administration and aid payments, for grants to forestry cooperatives under s. 36.56, and for the acquisition, purchase and development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax to be paid into the conservation fund. The tax shall not be levied in any year in which general funds are appropriated for the purposes specified in this section, equal to or in excess of the amount which the tax would produce.

SECTION 1673d. 71.01 (6) (e) of the statutes is repealed.

SECTION 1673e. 71.01 (6) (f) of the statutes is amended to read:

71.01 **(6)** (f) For taxable years that begin after December 31, 1990, and before January 1, 1992, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–90,

P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673f. 71.01 (6) (g) of the statutes is amended to read:

71.01 **(6)** (g) For taxable years that begin after December 31, 1991, and before January 1, 1993, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673g. 71.01 (6) (h) of the statutes is amended to read:

71.01 **(6)** (h) For taxable years that begin after December 31, 1992, and before January 1, 1994, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673h. 71.01 (6) (i) of the statutes is amended to read:

71.01 **(6)** (i) For taxable years that begin after December 31, 1993, and before January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended

to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66 and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673i. 71.01 (6) (j) of the statutes is amended to read:

71.01 **(6)** (j) For taxable years that begin after December 31, 1994, and before January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673j. 71.01 (6) (k) of the statutes is amended to read:

71.01 **(6)** (k) For taxable years that begin after December 31, 1995, and before January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with

respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673k. 71.01 (6) (L) of the statutes is amended to read:

71.01 **(6)** (L) For taxable years that begin after December 31, 1996, and before January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673L. 71.01 (6) (m) of the statutes is amended to read:

71.01 **(6)** (m) For taxable years that begin after December 31, 1997, and before January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1673m. 71.01 (6) (n) of the statutes is created to read:

71.01 **(6)** (n) For taxable years that begin after December 31, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for

federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

SECTION 1673n. 71.01 (7r) of the statutes is amended to read:

71.01 **(7r)** Notwithstanding sub. (6), for purposes of computing amortization or depreciation, "~~internal revenue code~~ Internal Revenue Code" means either the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year for which the return is filed, except that property that, under s. 71.02 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980.

SECTION 1674. 71.01 (16) of the statutes is amended to read:

71.01 **(16)** "Wisconsin taxable income" of natural persons means Wisconsin adjusted gross income less the Wisconsin standard deduction, less the personal exemption described under s. 71.05 (23), with losses, depreciation, recapture of benefits, offsets, depletion, deductions, penalties, expenses and other negative income items determined according to the manner that income is or would be allocated, except that the negative income items on individual or separate returns for net rents and other net returns which are marital property attributable to the investment, rental, licensing or other use of nonmarital property shall be allocated to the owner of the property.

SECTION 1674e. 71.02 (1) of the statutes is amended to read:

71.02 **(1)** For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax on all net incomes of individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every natural person residing within the state or by his or her personal representative in case of death, and trusts ~~administered~~ resident within the state; by every nonresident natural person and trust of this state, upon such income as is derived from property located or business transacted within the state including, but not limited by enumeration, income derived from a limited partner's distributive share of partnership income, income derived from a limited liability company member's distributive share of limited liability company income, the state lottery under ch. 565, any multijurisdictional lottery under ch. 565 if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the department, winnings from a casino or bingo hall that is located in this state and that is operated by a Native American tribe or band and pari–mutuel wager winnings or purses under ch. 562, and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state, except as exempted under s. 71.05 (1) to (3). Every natural person domiciled in the state shall be deemed to be residing within the state for the purposes of determining liability for income taxes and surtaxes. A single–owner entity that is disregarded as a separate entity under section 7701 of the Internal Revenue Code is disregarded as a separate entity under this chapter, and its owner is subject to the tax on the entity's income.

SECTION 1674t. 71.03 (2) (a) 1. of the statutes is amended to read:

71.03 **(2)** (a) 1. Every ~~natural person domiciled in this state during the entire taxable year having gross income of $5,200 or more if under 65 years of age, or $5,700 or more if 65 years of age or over, or $7,040 or more if the natural person files as a head of household, and every married person who files jointly and is domiciled in this state during the entire taxable year having gross income during the year when the joint gross income of the married person and his or her spouse is $7,200 or more if both are under 65 years of age; $7,700 or more if one spouse is under 65 years of age and the other spouse is 65 years of age or over; or $8,200 or more if both are 65 years of age or over; and every married person who files separately and is domiciled in this state during the entire taxable year and has gross income of $3,420 or more. The department of revenue shall annually adjust the dollar amounts of the filing requirements so as to reflect changes in the standard deduction, the rates under s. 71.06 or the exemption under s. 71.07 (8) (a)~~ individual domiciled in this state during the entire taxable year who has a gross income at or above a threshold amount which shall be determined annually by the department of revenue. The threshold amounts shall be determined for categories of individuals based on filing status and age, and shall include categories for single individuals; individuals who file as a head of household; married couples who file jointly; and married persons who file separately. The department of revenue shall establish a threshold amount for each category of individual at an amount at which no individual in that category whose gross income is below that amount has a state income tax liability.

SECTION 1674v. 71.04 (1) (a) of the statutes is amended to read:

71.04 **(1)** (a) All income or loss of resident individuals and resident estates and trusts shall follow the residence of the individual, estate or trust. Income or loss of nonresident individuals and nonresident estates and trusts from business, not requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the business from which derived, except that all income that is realized from the sale of or purchase and subsequent sale or

redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. All items of income, loss and deductions of nonresident individuals and nonresident estates and trusts derived from a tax–option corporation not requiring apportionment under sub. (9) shall follow the situs of the business of the corporation from which derived, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. Income or loss of nonresident individuals and nonresident estates and trusts derived from rentals and royalties from real estate or tangible personal property, or from the operation of any farm, mine or quarry, or from the sale of real property or tangible personal property shall follow the situs of the property from which derived. Income from personal services of nonresident individuals, including income from professions, shall follow the situs of the services. A nonresident limited partner's distributive share of partnership income shall follow the situs of the business, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. A nonresident limited liability company member's distributive share of limited liability company income shall follow the situs of the business, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. Income of nonresident individuals, estates and trusts from the state lottery under ch. 565 is taxable by this state. Income of nonresident individuals, estates and trusts from any multijurisdictional lottery under ch. 565 is taxable by this state, but only if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the department. Income of nonresident individuals, nonresident trusts and nonresident estates from pari–mutuel winnings or purses under ch. 562 is taxable by this state. Income of nonresident individuals, estates and trusts from winnings from a casino or bingo hall that is located in this state and that is operated by a Native American tribe or band shall follow the situs of the casino or bingo hall. All other income or loss of nonresident individuals and nonresident estates and trusts, including income or loss derived from land contracts, mortgages, stocks, bonds and securities or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in par. (b) and sub. (9), except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

Vetoed In Part

SECTION 1682. 71.04 (7) (dr) of the statutes is created to read:

71.04 **(7)** (dr) 1. For taxable years beginning after December 31, 1999, receipts from a service are attributed to the state where the purchaser of the service received the benefit of the service, except as provided in subd. 4. The benefit of a service is received in this state if any of the following applies:

a. The service relates to real property that is located in this state.

b. The service relates to tangible personal property that is located in this state at the time that the service is received.

c. The service is provided to a person who is located in this state.

d. The service is provided to a person doing business in this state.

e. The service is performed at a location in this state.

2. If the purchaser of a service receives the benefit of a service in more than one state, the receipts from the performance of the service are included in the numerator of the sales factor under par. (a) according to the portion of the service received in this state. If the state where a purchaser received the benefit of a service cannot be determined, the benefit of a service is received in the state where the purchaser, in the regular course of the purchaser's business, ordered the service. If the state where a purchaser ordered a service cannot be determined, the benefit of the service is received in the state where the purchaser, in the regular course of the purchaser's business, receives a bill for the service.

3. If the taxpayer is not subject to income tax in the state in which the benefit of the service is received, the benefit of the service is received in this state to the extent that the taxpayer's employes or representatives performed services from a location in this state.

4. If the benefit of a service is received in this state, as provided under this subsection, and the taxpayer submits evidence to the department that another state that has jurisdiction to tax the service attributes the receipts from the service to that state to determine the income that is taxable by that state, the taxpayer may elect, by a method prescribed by the department, to attribute the receipts from the service to this state in proportion to the direct cost of performing such service in this state as compared to the total direct cost of performing the service in all states that have jurisdiction to tax such service.

SECTION 1682pd. 71.04 (9) of the statutes is amended to read:

71.04 **(9)** NONRESIDENT INCOME FROM MULTISTATE TAX–OPTION CORPORATION. Nonresident individuals and nonresident estates and trusts deriving income from a tax–option corporation which is engaged in business within and without this state shall be taxed only on the income of the corporation derived from business trans-

acted and property located in this state and losses and other items of the corporation deductible by such shareholders shall be limited to their proportionate share of the Wisconsin loss or other item, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. For purposes of this subsection, all intangible income of tax–option corporations passed through to shareholders is business income that follows the situs of the business, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

SECTION 1683. 71.05 (1) (c) 2. of the statutes is amended to read:

71.05 **(1)** (c) 2. The Wisconsin housing and economic development authority, if the bonds are to fund a loan under s. 234.935, 1997 stats.

SECTION 1684. 71.05 (6) (a) 12. of the statutes is amended to read:

71.05 **(6)** (a) 12. ~~All alimony deducted for federal income tax purposes and paid while the individual paying the alimony was a nonresident of this state; all~~ All penalties for early withdrawals from time savings accounts and deposits deducted for federal income tax purposes and paid while the individual charged with the penalty was a nonresident of this state; ~~all repayments of supplemental unemployment benefit plan payments deducted for federal income tax purposes and made while the individual making the repayment was a nonresident of this state;~~ all reforestation expenses related to property not in this state, deducted for federal income tax purposes and paid while the individual paying the expense was not a resident of this state; all contributions to individual retirement accounts, simplified employe pension plans and self–employment retirement plans and all deductible employe contributions, deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's wages and net earnings from a trade or business taxable by this state and the denominator of which is the individual's total wages and net earnings from a trade or business; the contributions to a Keogh plan deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or business; the amount of health insurance costs of self–employed individuals deducted under section 162 (L) of the internal revenue code for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or business; and the amount of self–employment taxes deducted under section 164 (f) of the internal revenue code for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or a business.

SECTION 1684d. 71.05 (6) (a) 15. of the statutes is amended to read: **Vetoed In Part**

71.05 **(6)** (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy) and (3s) and not passed through by a partnership, limited liability company or tax–option corporation that has added that amount to the partnership's, company's or tax–option corporation's income under s. 71.21 (4) or 71.34 (1) (g).

SECTION 1685c. 71.05 (6) (b) 9. of the statutes is amended to read:

71.05 **(6)** (b) 9. On assets held more than one year and on all assets acquired from a decedent, 60% of the capital gain as computed under the internal revenue code, not including capital gains for which the federal tax treatment is determined under section 406 of P.L. 99–514 ~~and~~; not including amounts treated as ordinary income for federal income tax purposes because of the recapture of depreciation or any other reason; and not including amounts treated as capital gain for federal income tax purposes from the sale or exchange of a lottery prize. For purposes of this subdivision, the capital gains and capital losses for all assets shall be netted before application of the percentage.

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 1686m. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 **(6)** (b) 28. (intro.) An amount paid by a claimant for tuition expenses for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. ~~39.51~~ 45.54, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota–Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

SECTION 1687. 71.05 (6) (b) 28. e. of the statutes is amended to read:

71.05 **(6)** (b) 28. e. For an individual who is a nonresident or part–year resident of this state, multiply the amount calculated under subd. 28. a., b., c. or d. by a fraction the numerator of which is the individual's wages, salary, tips, unearned income and net earnings from a trade or business that are taxable by this state and the

denominator of which is the individual's total wages, salary, tips, unearned income and net earnings from a trade or business. In this subd. 28. e., for married persons filing separately "wages, salary, tips, unearned income and net earnings from a trade or business" means the separate wages, salary, tips, unearned income and net earnings from a trade or business of each spouse, and for married persons filing jointly "wages, salary, tips, unearned income and net earnings from a trade or business" means the total wages, salary, tips, unearned income and net earnings from a trade or business of both spouses.

SECTION 1688. 71.05 (6) (b) 28. f. of the statutes is amended to read:

71.05 **(6)** (b) 28. f. Reduce the amount calculated under subd. 28. a., b., c., d. or e. to the individual's aggregate wages, salary, tips, unearned income and net earnings from a trade or business that are taxable by this state.

SECTION 1688d. 71.05 (6) (b) 29. of the statutes is created to read:

71.05 **(6)** (b) 29. The amount claimed as a federal miscellaneous itemized deduction under the Internal Revenue Code for repayment of an amount included in income in a previous year to the extent that the repayment was previously included in Wisconsin adjusted gross income, except that no amount that is used in calculating the credit under s. 71.07 (1) may be included in the calculation under this subdivision.

SECTION 1688f. 71.05 (6) (b) 30. of the statutes is created to read:

71.05 **(6)** (b) 30. For taxable years beginning after December 31, 1998, any settlement received for claims against any person for any recovered assets, or any amount of assets or any gain generated on such assets, that were stolen from, hidden from or otherwise lost by an individual who was persecuted by Nazi Germany or any Axis regime during any period from 1933 to 1945 and have been recovered, returned or otherwise paid to the original victim or his or her heirs or beneficiaries. The assets to which this subdivision applies includes cash, bonds, stocks, deposits in a financial institution, proceeds from a life or other type of insurance policy, jewelry, precious metals, artwork or any other item of value owned by such a victim during any period from 1920 to 1945.

Vetoed In Part

SECTION 1688h. 71.05 (6) (b) 31. of the statutes is created to read:

71.05 **(6)** (b) 31. An amount paid by an employer to an employe for the purchase of a public transportation pass, token or fare card, or the value of such a pass, token or fare card provided by an employer to an employe, if the money provided for, or the value of, the pass, token or fare card exceeds the amount that may be excluded from federal gross income under section 132 (a) (5) of the Internal Revenue Code for a transit pass under section 132 (f) (1) (B) of the Internal Revenue Code per month.

SECTION 1689. 71.05 (22) (dm) of the statutes is amended to read:

71.05 **(22)** (dm) *Deduction limits; 1994 ~~and thereafter~~ to 1999*. Except as provided in par. (f), for taxable years beginning ~~on or after January 1, 1994~~ after December 31, 1993, and before January 1, 2000, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than $7,500, the standard deduction is $5,200. For a single individual who has a Wisconsin adjusted gross income of at least $7,500 ~~but not more than $50,830~~, the standard deduction is the amount obtained by subtracting from $5,200 12% of Wisconsin adjusted gross income in excess of $7,500 but not less than $0. ~~For a single individual who has a Wisconsin adjusted gross income of more than $50,830, the standard deduction is $0.~~ For a head of household who has a Wisconsin adjusted gross income of less than $7,500, the standard deduction is $7,040. For a head of household who has a Wisconsin adjusted gross income of at least $7,500 ~~but not more than $25,000~~, the standard deduction is the amount obtained by subtracting from $7,040 22.515% of Wisconsin adjusted gross income in excess of $7,500 but not less than $0, until the adjusted gross income amount at which the standard deduction is equal to the standard deduction for a single individual at the same adjusted gross income amount. For a head of household who has a Wisconsin adjusted gross income of more than ~~$25,000~~ this amount, the standard deduction shall be calculated as if the head of household were a single individual. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than $10,000, the standard deduction is $8,900. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least $10,000 ~~but not more than $55,000~~, the standard deduction is the amount obtained by subtracting from $8,900 19.778% of aggregate Wisconsin adjusted gross income in excess of $10,000 but not less than $0. ~~For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of more than $55,000, the standard deduction is $0.~~ For a married individual filing separately who has a Wisconsin adjusted gross income of less than $4,750, the standard deduction is $4,230. For a married individual filing separately who has a Wisconsin adjusted gross income of at least $4,750 ~~but not more than $26,140~~, the standard deduction is the amount obtained by subtracting from $4,230 19.778% of Wisconsin adjusted gross income in excess of $4,750 but not less than $0. ~~For a married individual filing separately who has a Wisconsin adjusted gross income of more than $26,140, the standard deduction is $0.~~ The secretary of revenue shall prepare a table under which deductions under this paragraph shall be determined. That table shall be published in the department's instructional booklets.

SECTION 1690. 71.05 (22) (dp) of the statutes is created to read:

71.05 **(22)** (dp) *Deduction limits, 2000 and thereafter.* Except as provided in par. (f), for taxable years beginning after December 31, 1999, the Wisconsin standard deduction is whichever of the following amounts is appropriate. For a single individual who has a Wisconsin adjusted gross income of less than $10,380, the standard deduction is $7,200. For a single individual who has a Wisconsin adjusted gross income of at least $10,380, the standard deduction is the amount obtained by subtracting from $7,200 12% of Wisconsin adjusted gross income in excess of $10,380 but not less than $0. For a head of household who has a Wisconsin adjusted gross income of less than $10,380, the standard deduction is $9,300. For a head of household who has a Wisconsin adjusted gross income of at least $10,380, the standard deduction is the amount obtained by subtracting from $9,300 22.515% of Wisconsin adjusted gross income in excess of $10,380, but not less than $0, until the adjusted gross income amount at which the standard deduction is equal to the standard deduction for a single individual at the same adjusted gross income amount. For a head of household who has a Wisconsin adjusted gross income of more than this amount, the standard deduction shall be calculated as if the head of household were a single individual. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of less than $14,570, the standard deduction is $12,970. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least $14,570, the standard deduction is the amount obtained by subtracting from $12,970 19.778% of aggregate Wisconsin adjusted gross income in excess of $14,570 but not less than $0. For a married individual filing separately who has a Wisconsin adjusted gross income of less than $6,920, the standard deduction is $6,160. For a married individual filing separately who has a Wisconsin adjusted gross income of at least $6,920, the standard deduction is the amount obtained by subtracting from $6,160 19.778% of Wisconsin adjusted gross income in excess of $6,920 but not less than $0. The secretary of revenue shall prepare a table under which deductions under this paragraph shall be determined. That table shall be published in the department's instructional booklets.

SECTION 1691. 71.05 (22) (ds) of the statutes is amended to read:

71.05 **(22)** (ds) *Standard deduction indexing.* For taxable years beginning after December 31, 1998<u>, and before January 1, 2000</u>, the dollar amounts of the standard deduction that is allowable under par. (dm) and all of the dollar amounts of Wisconsin adjusted gross income under par. (dm) shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this paragraph and incorporate the changes into the income tax forms and instructions.

SECTION 1691c. 71.05 (22) (dt) of the statutes is created to read:

71.05 **(22)** (dt) *Standard deduction indexing, 2001 and thereafter.* For taxable years beginning after December 31, 2000, the dollar amounts of the standard deduction that is allowable under par. (dp) and all of the dollar amounts of Wisconsin adjusted gross income under par. (dp) shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 1999, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this paragraph and incorporate the changes into the income tax forms and instructions.

SECTION 1692. 71.05 (22) (f) 4. b. of the statutes is amended to read:

71.05 **(22)** (f) 4. b. The standard deduction that may be claimed by an individual under par. (dm) <u>or (dp)</u>, based on the individual's filing status.

SECTION 1693. 71.05 (23) of the statutes is created to read:

71.05 **(23)** PERSONAL EXEMPTIONS. In computing Wisconsin taxable income, an individual taxpayer may subtract the following amounts:

(a) For taxable years that begin after December 31, 1999, and before January 1, 2001:

1. A personal exemption of $600 if the taxpayer is required to file a return under s. 71.03 (2) (a) 1. or 2. and $600 for the taxpayer's spouse, except if the spouse is filing separately or as a head of household.

2. An exemption of $600 for each individual for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (c) of the Internal Revenue Code.

3. An additional exemption of $200 if the taxpayer has reached the age of 65 before the close of the taxable year to which his or her tax return relates and $200 for the taxpayer's spouse if he or she has reached the age of 65

before the close of the taxable year to which his or her tax return relates, except if the spouse is filing separately or as a head of household.

(b) For taxable years that begin after December 31, 2000:

1. A personal exemption of $700 if the taxpayer is required to file a return under s. 71.03 (2) (a) 1. or 2. and $700 for the taxpayer's spouse, except if the spouse is filing separately or as a head of household.

2. An exemption of $700 for each individual for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (c) of the Internal Revenue Code.

3. An additional exemption of $250 if the taxpayer has reached the age of 65 before the close of the taxable year to which his or her tax return relates and $250 for the taxpayer's spouse if he or she has reached the age of 65 before the close of the taxable year to which his or her tax return relates, except if the spouse is filing separately or as a head of household.

(c) With respect to persons who change their domicile into or from this state during the taxable year and nonresident persons, personal exemptions under pars. (a) and (b) shall be limited to the fraction of the amount so determined that Wisconsin adjusted gross income is of federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If a person and that person's spouse are not both domiciled in this state during the entire taxable year, their personal exemptions on a joint return are determined by multiplying the personal exemption that would be available to each of them if they were both domiciled in this state during the entire taxable year by a fraction the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 1694. 71.06 (1m) (intro.) of the statutes is amended to read:

71.06 **(1m)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; ~~AFTER~~ 1997 TO 1999. (intro.) The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals and heads of households shall be computed at the following rates for taxable years beginning after December 31, 1997, and before January 1, 2000:

SECTION 1695. 71.06 (1n) of the statutes is created to read:

71.06 **(1n)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; 2000. The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals and heads of households shall be computed at the following rates for taxable years beginning after December 31, 1999, and before January 1, 2001:

(a) On all taxable income from $0 to $7,500, 4.73%.

(b) On all taxable income exceeding $7,500 but not exceeding $15,000, 6.33%.

(c) On all taxable income exceeding $15,000 but not exceeding $112,500, 6.55%.

(d) On all taxable income exceeding $112,500, 6.75%.

SECTION 1696. 71.06 (1p) of the statutes is created to read:

71.06 **(1p)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; AFTER 2000. The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals and heads of households shall be computed at the following rates for taxable years beginning after December 31, 2000:

(a) On all taxable income from $0 to $7,500, 4.6%.

(b) On all taxable income exceeding $7,500 but not exceeding $15,000, 6.15%.

(c) On all taxable income exceeding $15,000 but not exceeding $112,500, 6.5%.

(d) On all taxable income exceeding $112,500, 6.75%.

SECTION 1697. 71.06 (2) (c) (intro.) of the statutes is amended to read:

71.06 **(2)** (c) (intro.) For joint returns, for taxable years beginning after December 31, 1997, and before January 1, 2000:

SECTION 1698. 71.06 (2) (d) (intro.) of the statutes is amended to read:

71.06 **(2)** (d) (intro.) For married persons filing separately, for taxable years beginning after December 31, 1997, and before January 1, 2000:

SECTION 1699. 71.06 (2) (e) of the statutes is created to read:

71.06 **(2)** (e) For joint returns, for taxable years beginning after December 31, 1999, and before January 1, 2001:

1. On all taxable income from $0 to $10,000, 4.73%.

2. On all taxable income exceeding $10,000 but not exceeding $20,000, 6.33%.

3. On all taxable income exceeding $20,000 but not exceeding $150,000, 6.55%.

4. On all taxable income exceeding $150,000, 6.75%.

SECTION 1700. 71.06 (2) (f) of the statutes is created to read:

71.06 **(2)** (f) For married persons filing separately, for taxable years beginning after December 31, 1999, and before January 1, 2001:

1. On all taxable income from $0 to $5,000, 4.73%.

2. On all taxable income exceeding $5,000 but not exceeding $10,000, 6.33%.

3. On all taxable income exceeding $10,000 but not exceeding $75,000, 6.55%.

4. On all taxable income exceeding $75,000, 6.75%.

SECTION 1701. 71.06 (2) (g) of the statutes is created to read:

71.06 **(2)** (g) For joint returns, for taxable years beginning after December 31, 2000:

1. On all taxable income from $0 to $10,000, 4.6%.

2. On all taxable income exceeding $10,000 but not exceeding $20,000, 6.15%.

3. On all taxable income exceeding $20,000 but not exceeding $150,000, 6.5%.

4. On all taxable income exceeding $150,000, 6.75%.

SECTION 1702. 71.06 (2) (h) of the statutes is created to read:

71.06 **(2)** (h) For married persons filing separately, for taxable years beginning after December 31, 2000:

1. On all taxable income from $0 to $5,000, 4.6%.

2. On all taxable income exceeding $5,000 but not exceeding $10,000, 6.15%.

3. On all taxable income exceeding $10,000 but not exceeding $75,000, 6.5%.

4. On all taxable income exceeding $75,000, 6.75%.

SECTION 1703. 71.06 (2e) of the statutes is amended to read:

71.06 **(2e)** BRACKET INDEXING. For taxable years beginning after December 31, 1998, and before January 1, 2000, 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), and for taxable years beginning after December 31, 1999, the maximum dollar amount in each tax bracket, and the corresponding minimum dollar amount in the next bracket, under subs. (1n), (1p) and (2) (e), (f), (g) and (h), 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~~ 1997, as determined by the federal department of labor, except that for taxable years beginning after December 31, 2000, the dollar amount in the top bracket under subs. (1p) (c) and (d), (2) (g) 3. and 4. and (h) 3. and 4. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 1999, as determined by the federal department of labor. Each amount that is revised under this subsection shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts required under this subsection and incorporate the changes into the income tax forms and instructions.

SECTION 1704. 71.06 (2m) of the statutes is amended to read:

71.06 **(2m)** RATE CHANGES. If a rate under sub. (1), (1m), (1n), (1p) or (2) changes during a taxable year, the taxpayer shall compute the tax for that taxable year by the methods applicable to the federal income tax under section 15 of the internal revenue code.

SECTION 1705. 71.06 (2s) (b) of the statutes is amended to read:

71.06 **(2s)** (b) For taxable years beginning after December 31, 1997, and before January 1, 2000, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1m) and (2) (c) and (d) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1m) and (2) (c) and (d) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 1706. 71.06 (2s) (c) of the statutes is created to read:

71.06 **(2s)** (c) For taxable years beginning after December 31, 1999, and before January 1, 2001, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1n) and (2) (e) and (f) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1n) and (2) (e) and (f) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 1707. 71.06 (2s) (d) of the statutes is created to read:

71.06 **(2s)** (d) For taxable years beginning after December 31, 2000, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1p) and (2) (g) and (h) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1p) and (2) (g) and (h) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 1707g. 71.07 (2di) (a) (intro.) of the statutes is amended to read:

71.07 **(2di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35), for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against taxes otherwise due under this chapter 2.5% of the purchase price of depreciable, tangible personal property, or 1.75% of the purchase price of depreciable, tangible personal property that is expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

SECTION 1707h. 71.07 (2di) (a) 1. of the statutes is amended to read:

71.07 **(2di)** (a) 1. The investment must be in property that is purchased after the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations ~~for which the claimant is certified under s. 560.765 (3)~~ at a location in a development zone under subch. VI of ch. 560 or, if the property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

SECTION 1707j. 71.07 (2di) (d) 1. of the statutes is amended to read:

71.07 **(2di)** (d) 1. A copy of ~~the claimant's certification for~~ a verification from the department of commerce that the claimant may claim tax benefits under s. ~~560.765 (3)~~ 560.795 (3).

SECTION 1707k. 71.07 (2di) (f) of the statutes is amended to read:

71.07 **(2di)** (f) If ~~the certification of~~ a person ~~for~~ who is entitled under s. 560.795 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such tax benefits, that person may claim no credits under this subsection for the taxable year that includes the day on which the ~~certification is revoked~~ person becomes ineligible for tax benefits or succeeding taxable years and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which ~~certification is revoked~~ the person becomes ineligible for tax benefits or succeeding taxable years.

SECTION 1707L. 71.07 (2di) (g) of the statutes is amended to read:

71.07 **(2di)** (g) If a person who is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 1707m. 71.07 (2di) (i) of the statutes is amended to read:

71.07 **(2di)** (i) No credit may be claimed under this subsection for taxable years that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before January 1, 2000. Credits under this subsection 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 1707t. 71.07 (2dj) (am) 1. of the statutes is amended to read:

71.07 **(2dj)** (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code as amended to December 31, 1995, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC 2801 (9), and to require a member of a targeted group to be a resident of this state.

SECTION 1707v. 71.07 (2dj) (am) 2. of the statutes is amended to read:

71.07 **(2dj)** (am) 2. Modify "designated local agency", as defined in section 51 (d) (15) of the internal revenue code, to include the ~~job training partnership act organization~~ local workforce development board established under 29 USC 2832 for the area that includes the development zone in which the employe in respect to whom the credit under this subsection is claimed works, if the department of commerce approves the criteria used for certification, and the department of commerce.

SECTION 1708. 71.07 (2dj) (am) 3. of the statutes is amended to read:

71.07 **(2dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A) of the internal revenue code to allow certification within the ~~90–day~~ period beginning with the first day of employment of the employe ~~by the claimant~~.

SECTION 1708g. 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone the following amounts:

SECTION 1709. 71.07 (2dx) (b) 4. of the statutes is amended to read:

71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full–time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in ~~a~~ an enterprise development zone under s. 560.797 and ~~filled by a member of a targeted group~~ for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 1709b. 71.07 (2dx) (c) of the statutes is amended to read:

71.07 **(2dx)** (c) *Credit precluded.* If the certification of a person for tax benefits under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 1709bb. 71.07 (2dx) (d) of the statutes is amended to read:

71.07 **(2dx)** (d) *Carry–over precluded.* If a person who is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

Vetoed In Part

SECTION 1709c. 71.07 (2dy) of the statutes is created to read:

71.07 **(2dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In this subsection:

1. "Brownfield" has the meaning given in sub. (2dx) (a) 1.

2. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield and investigation unless the investigation determines that remediation is required but remediation is not undertaken.

Vetoed In Part

(b) *Credit.* For any taxable year for which the person is certified under s. 292.77 (5), a person may claim as a credit against taxes imposed under this subchapter 50% of the amount expended for environmental remediation under the program under s. 292.77.

(c) *Administration.* Subsection (2dx) (c), (d) and (e), as it applies to the credit under sub. (2dx), applies to the credit under this subsection.

SECTION 1710db. 71.07 (3m) (b) 1. a. of the statutes is amended to read:

71.07 **(3m)** (b) 1. a. Subject to the limitations provided in this subsection and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income taxes otherwise due, the amount derived under par. (c). If the allowable amount of claim exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft paid from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

SECTION 1710dc. 71.07 (3m) (b) 1. a. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

71.07 **(3m)** (b) 1. a. Subject to the limitations provided in this subsection and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income taxes otherwise due, the amount derived under par. (c). If the allowable amount of claim exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft paid from the appropriations under s. 20.835 (2) (ka) and (q).

SECTION 1710dd. 71.07 (3m) (c) 3. of the statutes, as created by 1999 Wisconsin Act 5, is amended to read:

71.07 **(3m)** (c) 3. The department shall annually adjust the percentage that is used to determine the amount of a claim under subd. 1. based on the estimated number of claims and the amount estimated to be expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall incorporate the annually adjusted percentage into the income tax forms and instructions.

SECTION 1710de. 71.07 (3m) (c) 3. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

71.07 **(3m)** (c) 3. The department shall annually adjust the percentage that is used to determine the amount of a claim under subd. 1. based on the estimated number

of claims and the amount estimated to be expended from the appropriation under s. 20.835 (2) (q), as determined under s. 79.13. The department shall incorporate the annually adjusted percentage into the income tax forms and instructions.

SECTION 1711. 71.07 (5) (a) 7. of the statutes is created to read:

71.07 **(5)** (a) 7. Miscellaneous itemized deductions under the Internal Revenue Code, without regard to whether such deductions are subject to the 2% floor as described in section 67 of the Internal Revenue Code, except that the general prohibition in this subdivision does not apply to dues paid to a professional society or a labor union, to travel expenses or to home office expenses.

Vetoed In Part

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 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 1715m. 71.07 (6m) of the statutes is created to read:

71.07 **(6m)** ARMED FORCES MEMBER TAX CREDIT. (a) *Definitions*. In this subsection:

1. "Claimant" means an active duty member of the U.S. armed forces, as defined in 26 USC 7701 (a) (15).

2. "Military income" means an amount of basic, special or incentive pay income, as those terms are used in 37 USC chapters 3 and 5, received by a claimant from the federal government.

(b) *Filing claims*. Subject to the limitations and conditions provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, an amount up to $200 of military income for services performed by the claimant while he or she is stationed outside of the United States.

(c) *Limitations and conditions*. 1. No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.75 (2).

2. Part–year residents and nonresidents of this state are not eligible for the credit under this subsection.

3. If both spouses of a married couple meet the definition of claimant under par. (a) 1., each spouse may claim the credit under this subsection.

(d) *Administration*. Subsection (9e) (d), to the extent that it applies to the credit under that subsection, applies to the credit under this subsection.

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 1716m. 71.07 (9) (b) 1. of the statutes is amended to read:

Vetoed In Part

71.07 **(9)** (b) 1. Subject to the limitations under this subsection and except as provided in ~~subd.~~ subds. 2. and 3., a claimant may claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 10% of the first $2,000 of property taxes or rent constituting property taxes, or 10% of the first $1,000 of property taxes or rent constituting property taxes of a married person filing separately.

SECTION 1716p. 71.07 (9) (b) 3. of the statutes is created to read:

71.07 **(9)** (b) 3. For taxable years beginning after December 31, 1999, and before January 1, 2001, subject to the limitations under this subsection, a claimant may claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 6.4% of the first $2,000 of property taxes or rent constituting property taxes, or 6.4% of the first $1,000 of property taxes or rent constituting property taxes of a married person filing separately.

Vetoed In Part

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, 2000.

SECTION 1719b. 71.07 (9e) (f) of the statutes is amended to read:

71.07 **(9e)** (f) Except as provided in s. 71.80 (3) and (3m), if the allowable amount of the claim under this subsection exceeds the taxes otherwise due under this chapter or no taxes are due under this chapter, the amount of the claim not used to offset taxes due shall be certified by the department of revenue to the department of administration for payment by check, share draft or other draft drawn from the appropriation under s. 20.835 (2) (f) or (kf).

SECTION 1719g. 71.08 (1) (intro.) of the statutes is amended to read:

71.08 **(1)** IMPOSITION. (intro.) If the tax imposed on a natural person, married couple filing jointly, trust or estate under s. 71.02, not considering the credits under ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy), (2fd), (3m), (3s), (6), (6m) and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd),

Vetoed In Part

Vetoed In Part

(2m) and (3) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) and (3) and subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the tax under this section, there is imposed on that natural person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax computed as follows:

Vetoed In Part

SECTION 1719j. 71.10 (4) (cm) of the statutes is created to read:

71.10 **(4)** (cm) The armed forces member tax credit under s. 71.07 (6m).

Vetoed In Part

SECTION 1719m. 71.10 (4) (gv) of the statutes is created to read:

71.10 **(4)** (gv) Sustainable urban development zone credit under s. 71.07 (2dy).

SECTION 1720m. 71.10 (5) (am) of the statutes is created to read:

71.10 **(5)** (am) *Gray wolf as endangered or threatened species.* For purposes of the part of the endangered resources program that provides for wildlife damage control and the payments of claims for damage associated with endangered or threatened species, the gray wolf shall be considered an endangered or threatened species regardless of whether it is listed as endangered or threatened under s. 29.604 (3).

SECTION 1721. 71.125 of the statutes is amended to read:

71.125 Imposition of tax. (1) Except as provided in sub. (2), the tax imposed by this chapter on individuals and the rates under s. 71.06 (1), (1m), (1n), (1p) and (2) shall apply to the Wisconsin taxable income of estates or trusts, except nuclear decommissioning trust or reserve funds, and that tax shall be paid by the fiduciary.

(2) Each electing small business trust, as defined in section 1361 (e) (1) of the Internal Revenue Code, is subject to tax at the highest rate under s. 71.06 (1) ~~or under s. 71.06~~, (1m), (1n) or (1p), whichever taxable year is applicable, on its income as computed under section 641 of the Internal Revenue Code, as modified by s. 71.05 (6) to (12), (19) and (20).

SECTION 1721es. 71.14 (3) (intro.) of the statutes is amended to read:

71.14 **(3)** (intro.) Except as provided in sub. (2) and s. 71.04 (1) (b) 2., trusts created by contract, declaration of trust or implication of law that are made irrevocable before the effective date of this subsection .... [revisor inserts date], shall be considered resident at the place where the trust is being administered. The following trusts shall be considered to be administered in the state of domicile of the corporate trustee of the trust at any time that the grantor of the trust is not a resident of this state:

SECTION 1721it. 71.14 (3m) of the statutes is created to read:

71.14 **(3m)** (a) Subject to par. (b) and except as provided in sub. (2) and s. 71.04 (1) (b) 2., only the following trusts, or portions of trusts, which become irrevocable on or after the effective date of this paragraph .... [revisor inserts date], are resident of this state:

1. Trusts, or portions of trusts, the assets of which consist of property placed in the trust by a person who is a resident of this state at the time that the property was placed in the trust if, at the time that the assets were placed in the trust, the trust was irrevocable.

2. Trusts, or portions of trusts, the assets of which consist of property placed in the trust by a person who is a resident of this state at the time that the trust became irrevocable if, at the time that the property was placed in the trust, the trust was revocable.

(b) A trust described under par. (a):

1. Is revocable if the person whose property constitutes the trust may revest title to the property in that person.

2. Is irrevocable if the power to revest title, as described in par. (a), does not exist.

SECTION 1722. 71.17 (6) of the statutes is amended to read:

71.17 **(6)** FUNERAL TRUSTS. If a qualified funeral trust makes the election under section 685 of the Internal Revenue Code for federal income tax purposes, that election applies for purposes of this chapter and each trust shall compute its own tax and shall apply the rates under s. 71.06 (1) ~~and~~, (1m), (1n) or (1p).

Vetoed In Part

SECTION 1722bd. 71.21 (4) of the statutes is amended to read:

71.21 **(4)** Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2ds), (2dx), (2dy) and (3s) and passed through to partners shall be added to the partnership's income.

SECTION 1722cd. 71.22 (1r) of the statutes is created to read:

Vetoed In Part

71.22 **(1r)** "Doing business" includes owning a direct or indirect interest in a general or limited partnership or limited liability company that transacts in this state for pecuniary gain, if the income from the partnership or company is unitary or operational income of the taxpayer or a direct or indirect affiliate of the taxpayer or if such income has a taxable presence in this state. "Doing business" also includes issuing credit, debit or travel and entertainment cards to customers in this state.

Vetoed In Part

SECTION 1722d. 71.22 (4) (e) of the statutes is repealed.

SECTION 1722e. 71.22 (4) (f) of the statutes is amended to read:

71.22 **(4)** (f) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1990, and before January 1, 1992, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and

P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722f. 71.22 (4) (g) of the statutes is amended to read:

71.22 **(4)** (g) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1991, and before January 1, 1993, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722g. 71.22 (4) (h) of the statutes is amended to read:

71.22 **(4)** (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1992, and before January 1, 1994, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465. P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722h. 71.22 (4) (i) of the statutes is amended to read:

71.22 **(4)** (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal~~

~~revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1993, and before January 1, 1995, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722i. 71.22 (4) (j) of the statutes is amended to read:

71.22 **(4)** (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1994, and before January 1, 1996, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722j. 71.22 (4) (k) of the statutes is amended to read:

71.22 **(4)** (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1995, and before January 1, 1997, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486,

P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722k. 71.22 (4) (L) of the statutes is amended to read:

71.22 **(4)** (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years that begin after December 31, 1996, and before January 1, 1998, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722L. 71.22 (4) (m) of the statutes is amended to read:

71.22 **(4)** (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1997, and before January 1, 1999, means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722m. 71.22 (4) (n) of the statutes is created to read:

71.22 **(4)** (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1998, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605

(d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

SECTION 1722n. 71.22 (4m) (c) of the statutes is repealed.

SECTION 1722p. 71.22 (4m) (d) of the statutes is amended to read:

71.22 **(4m)** (d) For taxable years that begin after December 31, 1990, and before January 1, 1992, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722q. 71.22 (4m) (e) of the statutes is amended to read:

71.22 **(4m)** (e) For taxable years that begin after December 31, 1991, and before January 1, 1993, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722r. 71.22 (4m) (f) of the statutes is amended to read:

71.22 **(4m)** (f) For taxable years that begin after December 31, 1992, and before January 1, 1994, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,

P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722s. 71.22 (4m) (g) of the statutes is amended to read:

71.22 **(4m)** (g) For taxable years that begin after December 31, 1993, and before January 1, 1995, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722t. 71.22 (4m) (h) of the statutes is amended to read:

71.22 **(4m)** (h) For taxable years that begin after December 31, 1994, and before January 1, 1996, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722u. 71.22 (4m) (i) of the statutes is amended to read:

71.22 **(4m)** (i) For taxable years that begin after December 31, 1995, and before January 1, 1997, "~~internal revenue code~~ Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, PL. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722v. 71.22 (4m) (j) of the statutes is amended to read:

71.22 **(4m)** (j) For taxable years that begin after December 31, 1996, and before January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188 and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722w. 71.22 (4m) (k) of the statutes is amended to read:

71.22 **(4m)** (k) For taxable years that begin after December 31, 1997, and before January 1, 1999, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this sub-

chapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1722x. 71.22 (4m) (L) of the statutes is created to read:

71.22 **(4m)** (L) For taxable years that begin after December 31, 1998, "Internal Revenue Code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

SECTION 1722y. 71.23 (1) of the statutes is amended to read:

71.23 **(1)** INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax as provided under this chapter on all Wisconsin net incomes of corporations ~~which~~ that are not subject to the franchise tax under sub. (2) and ~~which~~ that own property within this state; that derive income from sources within this state or from activities that are attributable to this state; or whose business within this state during the taxable year, except as provided under sub. (3), consists exclusively of foreign commerce, interstate commerce, or both, or that buy or sell lottery prizes if the winning tickets were originally bought in this state; except as exempted under s. 71.26 (1). This section shall not be construed to prevent or affect the correction of errors or omissions in the assessments of income for former years under s. 71.74 (1) and (2).

SECTION 1722yb. 71.23 (2) of the statutes is amended to read:

71.23 **(2)** FRANCHISE TAX. For the privilege of exercising its franchise, buying or selling lottery prizes if the winning tickets were originally bought in this state or doing business in this state in a corporate capacity, except as provided under sub. (3), every domestic or foreign corporation, except corporations specified in s. 71.26 (1), and every nuclear decommissioning trust or reserve fund shall annually pay a franchise tax according to or measured by its entire Wisconsin net income of the preceding taxable year at the rate set forth in s. 71.27 (2). In addition, except as provided in sub. (3) and s. 71.26 (1), a corporation that ceases doing business in this state and a nuclear decommissioning trust or reserve fund that is terminated shall pay a special franchise tax according to or measured by its entire Wisconsin net income for the taxable year during which the corporation ceases doing business in this state or the nuclear decommissioning trust or reserve fund is terminated at the rates under s. 71.27 (2). Every corporation organized under the laws of this state shall be deemed to be residing within this state for the purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to income taxation of corporations shall apply to franchise taxes imposed under this subsection, unless the context requires otherwise. The tax imposed by this subsection on national banking associations shall be in lieu of all taxes imposed by this state on national banking associations to the extent it is not permissible to tax such associations under federal law.

SECTION 1722yc. 71.23 (3) (d) of the statutes is created to read:

71.23 **(3)** (d) The storage for no more than 90 days in this state in or on property owned by a person, other than the foreign corporation, of the foreign corporation's tangible personal property, if the tangible personal property is transferred to the person and is used in this state by the person for fabricating, processing, manufacturing or printing on the parcel of property in or on which the tangible personal property is stored and if the parcel of property has an assessed value, for property tax purposes, of at least $10,000,000 but no more than $11,000,000 on January 1, 1999.

SECTION 1722yd. 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 as unitary or operational income or other income that has a taxable presence in this state. 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 1722ym. 71.25 (5) (b) of the statutes is amended to read:

71.25 **(5)** (b) *Nonapportionable income.* 1. Income, gain or loss from the sale of nonbusiness real property or nonbusiness tangible personal property, rental of nonbusiness real property or nonbusiness tangible personal

property and royalties from nonbusiness real property or nonbusiness tangible personal property are nonapportionable and shall be allocated to the situs of the property, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

2. All income, gain or loss from intangible property that is earned by a personal holding company, as defined in section 542 of the internal revenue code, as amended to December 31, 1974, shall be allocated to the residence of the taxpayer, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

Vetoed In Part

SECTION 1736. 71.25 (9) (dr) of the statutes is created to read:

71.25 **(9)** (dr) 1. For taxable years beginning after December 31, 1999, receipts from a service are attributed to the state where the purchaser of the service received the benefit of the service, except as provided in subd. 4. The benefit of a service is received in this state if any of the following applies:

a. The service relates to real property that is located in this state.

b. The service relates to tangible personal property that is located in this state at the time that the service is received.

c. The service is provided to a person who is located in this state.

d. The service is provided to a person doing business in this state.

e. The service is performed at a location in this state.

2. If the purchaser of a service receives the benefit of a service in more than one state, the receipts from the performance of the service are included in the numerator of the sales factor under par. (a) according to the portion of the service received in this state. If the state where a purchaser received the benefit of a service cannot be determined, the benefit of a service is received in the state where the purchaser, in the regular course of the purchaser's business, ordered the service. If the state where a purchaser ordered a service cannot be determined, the benefit of the service is received in the state where the purchaser, in the regular course of the purchaser's business, receives a bill for the service.

3. If the taxpayer is not subject to income tax in the state in which the benefit of the service is received, the benefit of the service is received in this state to the extent that the taxpayer's employes or representatives performed services from a location in this state.

4. If the benefit of a service is received in this state, as provided under this subsection, and the taxpayer submits evidence to the department that another state that has jurisdiction to tax the service attributes the receipts from the service to that state to determine the income that is taxable by that state, the taxpayer may elect, by a method prescribed by the department, to attribute the receipts from the service to this state in proportion to the direct cost of performing such service in this state as compared to the total direct cost of performing the service in all states that have jurisdiction to tax such service.

Vetoed In Part

SECTION 1738s. 71.25 (15) of the statutes is created to read:

Vetoed In Part

71.25 **(15)** PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or limited partner's share of the numerator and denominator of a partnership's apportionment fractions under this section are included in the numerator and denominator of the general or limited partner's apportionment fractions under this section.

(b) If a limited liability company is considered by the department of revenue to be a partnership, for tax purposes, a member's share of the numerator and denominator of a limited liability company's apportionment fractions under this section are included in the numerator and denominator of the member's apportionment fractions under this section.

SECTION 1738t. 71.26 (1) (a) of the statutes is amended to read:

71.26 **(1)** (a) *Certain corporations.* Income of corporations organized under ch. 185, except income of a cooperative sickness care association organized under s. 185.981, or of a service insurance corporation organized under ch. 613, that is derived from a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any shareholder or member, or operated on a cooperative plan pursuant to which they determine and distribute their proceeds in substantial compliance with s. 185.45, and the income, except the unrelated business taxable income as defined in section 512 of the internal revenue code and except income that is derived from a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3), of all religious, scientific, educational, benevolent or other corporations or associations of individuals not organized or conducted for pecuniary profit. This paragraph does not apply to the income of savings banks, mutual loan corporations or savings and loan associations. This paragraph does not apply to income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state. This paragraph applies to the income of credit unions except to the income of any credit union that is derived from public deposits for any taxable year in which the credit union is approved as a public depository under ch. 34 and acts as a depository of state or local funds under s. 186.113 (20). For purposes of this paragraph, the income of a credit union that is derived from

public deposits is the product of the credit union's gross annual income for the taxable year multiplied by a fraction, the numerator of which is the average monthly balance of public deposits in the credit union during the taxable year, and the denominator of which is the average monthly balance of all deposits in the credit union during the taxable year.

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.

Vetoed In Part

SECTION 1740c. 71.26 (2) (a) of the statutes is amended to read:

71.26 **(2)** (a) *Corporations in general.* The "net income" of a corporation means the gross income as computed under the internal revenue code as modified under sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx) and (1dy) and not passed through by a partnership, limited liability company or tax–option corporation that has added that amount to the partnership's, limited liability company's or tax–option corporation's income under s. 71.21 (4) or 71.34 (1) (g) plus the amount of losses from the sale or other disposition of assets the gain from which would be wholly exempt income, as defined in sub. (3) (L), if the assets were sold or otherwise disposed of at a gain and minus deductions, as computed under the internal revenue code as modified under sub. (3), plus or minus, as appropriate, an amount equal to the difference between the federal basis and Wisconsin basis of any asset sold, exchanged, abandoned or otherwise disposed of in a taxable transaction during the taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

SECTION 1740d. 71.26 (2) (b) 5. of the statutes is repealed.

SECTION 1740e. 71.26 (2) (b) 6. of the statutes is amended to read:

71.26 **(2)** (b) 6. For taxable years that begin after December 31, 1990, and before January 1, 1992, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this subdivision with respect to taxable years that begin after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~, P.L. 105–34, P.L. 105–206 and P.L.

105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740f. 71.26 (2) (b) 7. of the statutes is amended to read:

71.26 **(2)** (b) 7. For taxable years that begin after December 31, 1991, and before January 1, 1993, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this subdivision with respect to taxable years that begin after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740g. 71.26 (2) (b) 8. of the statutes is amended to read:

71.26 **(2)** (b) 8. For taxable years that begin after December 31, 1992, and before January 1, 1994, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1., 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the

federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1., 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this subdivision with respect to taxable years that begin after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740h. 71.26 (2) (b) 9. of the statutes is amended to read:

71.26 **(2)** (b) 9. For taxable years that begin after December 31, 1993, and before January 1, 1995, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, exclud-

ing section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this subdivision with respect to taxable years that begin after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740i. 71.26 (2) (b) 10. of the statutes is amended to read:

71.26 **(2)** (b) 10. For taxable years that begin after December 31, 1994, and before January 1, 1996, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue~~

~~code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this subdivision with respect to taxable years that begin after December 31, 1994, and before January 1, 1996, except that changes made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740j. 71.26 (2) (b) 11. of the statutes is amended to read:

71.26 **(2)** (b) 11. For taxable years that begin after December 31, 1995, and before January 1, 1997, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33

~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this subdivision with respect to taxable years that begin after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740k. 71.26 (2) (b) 12. of the statutes is amended to read:

71.26 **(2)** (b) 12. For taxable years that begin after December 31, 1996, and before January 1, 1998, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188 and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this subdivision with respect to taxable years that begin after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740L. 71.26 (2) (b) 13. of the statutes is amended to read:

71.26 **(2)** (b) 13. For taxable years that begin after December 31, 1997, and before January 1, 1999, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1997, do not apply to this subdivision with respect to taxable years that begin after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1740m. 71.26 (2) (b) 14. of the statutes is created to read:

71.26 **(2)** (b) 14. For taxable years that begin after December 31, 1998, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust or financial asset securitization investment trust under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277,

"net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit or trust as determined under the Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1998, do not apply to this subdivision with respect to taxable years that begin after December 31, 1998.

Vetoed In Part

SECTION 1740n. 71.26 (3) (L) of the statutes is amended to read:

Vetoed In Part

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 1741m. 71.26 (3) (y) of the statutes is amended to read:

71.26 **(3)** (y) A corporation may compute amortization and depreciation under either the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980.

SECTION 1741n. 71.28 (1di) (a) (intro.) of the statutes is amended to read:

71.28 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35), for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against taxes otherwise due under this chapter 2.5% of the purchase price of depreciable, tangible personal property, or 1.75% of the purchase price of depreciable, tangible personal property that is

expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

SECTION 1741o. 71.28 (1di) (a) 1. of the statutes is amended to read:

71.28 **(1di)** (a) 1. The investment must be in property that is purchased after the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations ~~for which the claimant is certified under s. 560.765 (3)~~ at a location in a development zone under subch. VI of ch. 560 or, if the property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

SECTION 1741p. 71.28 (1di) (d) 1. of the statutes is amended to read:

71.28 **(1di)** (d) 1. A copy of ~~the claimant's certification for~~ a verification from the department of commerce that the claimant may claim tax benefits under s. ~~560.765 (3)~~ 560.795 (3).

SECTION 1741pm. 71.28 (1di) (f) of the statutes is amended to read:

71.28 **(1di)** (f) If ~~the certification of~~ a person ~~for~~ who is entitled under s. 560.795 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such tax benefits, that person may claim no credits under this subsection for the taxable year that includes the day on which the ~~certification is revoked~~ person becomes ineligible for tax benefits or succeeding taxable years and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which ~~certification is revoked~~ the person becomes ineligible for tax benefits or succeeding taxable years.

SECTION 1741pn. 71.28 (1di) (g) of the statutes is amended to read:

71.28 **(1di)** (g) If a person who is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 1741pp. 71.28 (1di) (j) of the statutes is amended to read:

71.28 **(1di)** (j) No credit may be claimed under this subsection for taxable years that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before January 1, 2000. Credits under this subsection 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 1741t. 71.28 (1dj) (am) 1. of the statutes is amended to read:

71.28 **(1dj)** (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code as amended to December 31, 1995, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC 2801 (9), and to require a member of a targeted group to be a resident of this state.

SECTION 1741v. 71.28 (1dj) (am) 2. of the statutes is amended to read:

71.28 **(1dj)** (am) 2. Modify "designated local agency", as defined in section 51 (d) (15) of the internal revenue code, to include the ~~job training partnership act organization~~ local workforce development board established under 29 USC 2832 for the area that includes the development zone in which the employe in respect to whom the credit under this subsection is claimed works, if the department of commerce approves the criteria used for certification, and the department of commerce.

SECTION 1742. 71.28 (1dj) (am) 3. of the statutes is amended to read:

71.28 **(1dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A) of the internal revenue code to allow certification within the ~~90–day~~ period beginning with the first day of employment of the employe ~~by the claimant~~.

SECTION 1742g. 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 **(1dx)** (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone under this subchapter the following amounts:

SECTION 1743. 71.28 (1dx) (b) 4. of the statutes is amended to read:

71.28 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full–time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in ~~a~~ an enterprise development zone under s. 560.797 and ~~filled by a member of a targeted group~~ for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 1743b. 71.28 (1dx) (c) of the statutes is amended to read:

71.28 **(1dx)** (c) *Credit precluded.* If the certification of a person for tax benefits under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is

revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 1743bb. 71.28 (1dx) (d) of the statutes is amended to read:

71.28 **(1dx)** (d) *Carry–over precluded.* If a person who is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

Vetoed In Part

SECTION 1743d. 71.28 (1dy) of the statutes is created to read:

71.28 **(1dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In this subsection:

1. "Brownfield" has the meaning given in sub. (1dx) (a) 1.

2. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield and investigation unless the investigation determines that remediation is required but remediation is not undertaken.

(b) *Credit.* For any taxable year for which the person is certified under s. 292.77 (5), a person may claim as a credit against taxes imposed under this subchapter 50% of the amount expended for environmental remediation under the program under s. 292.77.

(c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit under sub. (1dx), applies to the credit under this subsection.

SECTION 1744bd. 71.28 (2m) (b) 1. a. of the statutes is amended to read:

71.28 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection 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 par. (c). 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 paid from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

SECTION 1744be. 71.28 (2m) (b) 1. a. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

71.28 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income taxes otherwise due, the amount derived under par. (c). If the allowable amount of claim exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft paid from the appropriations under s. 20.835 (2) (ka) and (q).

SECTION 1757bf. 71.28 (2m) (c) 3. of the statutes, as created by 1999 Wisconsin Act 5, is amended to read:

71.28 **(2m)** (c) 3. The department shall annually adjust the percentage that is used to determine the amount of a claim under subd. 1. based on the estimated number of claims and the amount estimated to be expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall incorporate the annually adjusted percentage into the income tax forms and instructions.

SECTION 1757bg. 71.28 (2m) (c) 3. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

71.28 **(2m)** (c) 3. The department shall annually adjust the percentage that is used to determine the amount of a claim under subd. 1. based on the estimated number of claims and the amount estimated to be expended from the appropriation under s. 20.835 (2) (q), as determined under s. 79.13. The department shall incorporate the annually adjusted percentage into the income tax forms and instructions.

SECTION 1747m. 71.30 (3) (eon) of the statutes is created to read: **Vetoed In Part**

71.30 **(3)** (eon) Sustainable urban development zone credit under s. 71.28 (1dy).

SECTION 1748b. 71.30 (10) of the statutes is created to read:

71.30 **(10)** ENDANGERED RESOURCES. (a) *Definitions.* In this subsection:

1. "Conservation fund" means the fund under s. 25.29.

2. "Endangered resources program" means purchasing or improving land or habitats for any native Wisconsin endangered or threatened species, as defined in s. 29.604 (2) (a) or (b), or for any nongame species, as defined in s. 29.001 (60); conducting the natural heritage inventory program under s. 23.27 (3); conducting wildlife and resource research and surveys; providing wildlife management services; providing for wildlife damage control or the payment of claims for damage associated with endangered or threatened species; and the payment

of administrative expenses related to the administration of this subsection.

(b) *Voluntary payments*. 1. 'Designation on return.' A corporation filing an income or franchise tax return may designate on the return any amount of additional payment or any amount of a refund that is due the corporation for the endangered resources program.

2. 'Designation added to tax owed.' If the corporation owes any tax, the corporation shall remit in full the tax due and the amount designated on the return for the endangered resources program when the corporation files a tax return.

3. 'Designation deducted from refund.' Except as provided under par. (d), and subject to ss. 71.75 (9) and 71.80 (3), if the corporation is owed a refund, the department shall deduct the amount designated on the return for the endangered resources program from the amount of the refund.

(c) *Errors; failure to remit correct amount*. 1. 'Reduced designation.' If a corporation remits an amount that exceeds the tax due, after error corrections, but that is less than the total of the tax due, after error corrections, and the amount that is designated by the corporation on the return for the endangered resources program, the department shall reduce the designation for the endangered resources program to reflect the amount remitted that exceeds the tax due, after error corrections.

2. 'Void designation.' The designation for the endangered resources program is void if the corporation remits an amount equal to or less than the tax due, after error corrections.

(d) *Errors; insufficient refund*. If a corporation is owed a refund that is less than the amount designated on the return for the endangered resources program, after attachment and crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections, the department shall reduce the designation for the endangered resources program to reflect the actual amount of the refund the corporation is otherwise owed.

(e) *Conditions*. If a corporation places any conditions on a designation for the endangered resources program, the designation is void.

(f) *Void designation*. If a designation for the endangered resources program is void, the department shall disregard the designation and determine the amounts due, owed, refunded and received.

(g) *Tax return*. The secretary of revenue shall provide a place for the designations under this subsection on the corporate income and franchise tax returns and the secretary shall highlight that place on the returns by a symbol chosen by the department that relates to endangered resources.

(h) *Certification of amounts*. Annually, on or before September 15, the secretary of revenue shall certify to the department of natural resources, the department of administration and the state treasurer:

1. The total amount of the administrative costs, including data processing costs, incurred by the department of revenue in administering this subsection during the previous fiscal year.

2. The total amount received from all designations for the endangered resources program made by corporations during the previous fiscal year.

3. The net amount remaining after the administrative costs under subd. 1. are subtracted from the total received under subd. 2.

(i) *Appropriations*. From the moneys received from designations for the endangered resources program, an amount equal to the sum of administrative expenses certified under par. (h) 1. shall be deposited into the general fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining certified under par. (h) 3. shall be deposited into the conservation fund and credited to the appropriation under s. 20.370 (1) (fs).

(j) *Refunds*. An amount designated for the endangered resources program under this subsection is not subject to refund to a corporation that designates a donation under par. (b) unless the corporation submits information to the satisfaction of the department within 18 months from the date that taxes are due from the corporation or from the date that the corporation filed the return, whichever is later, that the amount designated is clearly in error. A refund granted by the department under this paragraph shall be deducted from the moneys received under this subsection in the fiscal year that the refund is certified under 71.75 (7).

SECTION 1748bm. 71.34 (1) (g) of the statutes is amended to read: **Vetoed In Part**

71.34 **(1)** (g) An addition shall be made for credits computed by a tax–option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy) and (3) and passed through to shareholders.

SECTION 1748c. 71.34 (1g) (e) of the statutes is repealed.

SECTION 1748d. 71.34 (1g) (f) of the statutes is amended to read:

71.34 **(1g)** (f) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1990, and before January 1, 1992, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206

and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748e. 71.34 (1g) (g) of the statutes is amended to read:

71.34 **(1g)** (g) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1991, and before January 1, 1993, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748f. 71.34 (1g) (h) of the statutes is amended to read:

71.34 **(1g)** (h) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1992, and before January 1, 1994, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748g. 71.34 (1g) (i) of the statutes is amended to read:

71.34 **(1g)** (i) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1993, and before January 1, 1995,

means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748h. 71.34 (1g) (j) of the statutes is amended to read:

71.34 **(1g)** (j) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1994, and before January 1, 1996, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748i. 71.34 (1g) (k) of the statutes is amended to read:

71.34 **(1g)** (k) "Internal ~~revenue code~~ Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1995, and before January 1, 1997, means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104

and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748j. 71.34 (1g) (L) of the statutes is amended to read:

71.34 **(1g)** (L) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1996, and before January 1, 1998, means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748k. 71.34 (1g) (m) of the statutes is amended to read:

71.34 **(1g)** (m) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 1997, and before January 1, 1999, means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748L. 71.34 (1g) (n) of the statutes is created to read:

71.34 **(1g)** (n) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after

December 31, 1998, means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

SECTION 1748Lm. 71.362 (1) of the statutes is amended to read:

71.362 **(1)** All tax–option items of nonresident individuals, nonresident estates and nonresident trusts derived from a tax–option corporation not requiring apportionment under sub. (2) shall follow the situs of the business of the corporation from which they are derived, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

SECTION 1748Ln. 71.362 (2) of the statutes is amended to read:

71.362 **(2)** Nonresident individuals, nonresident estates and nonresident trusts deriving income from a tax–option corporation which is engaged in business within and without this state shall be taxed only on the income of the corporation derived from business transacted and property located in this state and losses and other items of the corporation deductible by such shareholders shall be limited to their proportionate share of the Wisconsin loss or other item, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state. For purposes of this subsection, all intangible income of tax–option corporations passed through to shareholders is business income that follows the situs of the business, except that all income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

SECTION 1748m. 71.365 (1m) of the statutes is amended to read:

71.365 **(1m)** TAX–OPTION CORPORATIONS; DEPRECIATION. A tax–option corporation may compute amortization and depreciation under either the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980. Any difference between the adjusted basis for federal income tax purposes and the adjusted basis under this chapter shall be taken into account in determining net income or loss in the year or years for which the gain or loss is reportable under this chapter. If that property was placed in service by the taxpayer during taxable year 1986 and thereafter but before the property is used in the production of income subject to taxation under this chapter, the property's adjusted basis and the depreciation or other deduction schedule are not required to be changed from the amount allowable on the owner's federal income tax returns for any year because the property is used in the production of income subject to taxation under this chapter. If that property was acquired in a transaction in taxable year 1986 or thereafter in which the adjusted basis of the property in the hands of the transferee is the same as the adjusted basis of the property in the hands of the transferor, the Wisconsin adjusted basis of that property on the date of transfer is the adjusted basis allowable under the ~~internal revenue code~~ Internal Revenue Code as defined for Wisconsin purposes for the property in the hands of the transferor.

SECTION 1748n. 71.42 (2) (d) of the statutes is repealed.

SECTION 1748p. 71.42 (2) (e) of the statutes is amended to read:

71.42 **(2)** (e) For taxable years that begin after December 31, 1990, and before January 1, 1992, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by P.L.

102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748q. 71.42 (2) (f) of the statutes is amended to read:

71.42 **(2)** (f) For taxable years that begin after December 31, 1991, and before January 1, 1993, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991, and before January 1, 1993, except that changes to the internal revenue code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal internal revenue code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748r. 71.42 (2) (g) of the statutes is amended to read:

71.42 **(2)** (g) For taxable years that begin after December 31, 1992, and before January 1, 1994, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1992, do not apply to this paragraph with respect to taxable years beginning after December 31, 1992, and before January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and~~ P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748s. 71.42 (2) (h) of the statutes is amended to read:

71.42 **(2)** (h) For taxable years that begin after December 31, 1993, and before January 1, 1995, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993 excluding sections 103,

104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486 and P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748t. 71.42 (2) (i) of the statutes is amended to read:

71.42 **(2)** (i) For taxable years that begin after December 31, 1994, and before January 1, 1996, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply to this paragraph with respect to taxable years beginning after December 31, 1994, and before January 1, 1996, except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748u. 71.42 (2) (j) of the statutes is amended to read:

71.42 **(2)** (j) For taxable years that begin after December 31, 1995, and before January 1, 1997, "~~internal revenue code~~ Internal Revenue Code" means the federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "~~internal revenue code~~ Internal Revenue Code" does not include section 847 of the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1995, do not apply to this

paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748v. 71.42 (2) (k) of the statutes is amended to read:

71.42 **(2)** (k) For taxable years that begin after December 31, 1996, and before January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1996, do not apply to this paragraph with respect to taxable years beginning after December 31, 1996, and before January 1, 1998, except that changes to the Internal Revenue Code made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748w. 71.42 (2) (L) of the statutes is amended to read:

71.42 **(2)** (L) For taxable years that begin after December 31, 1997, and before January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 ~~and~~, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1748x. 71.42 (2) (m) of the statutes is created to read:

71.42 **(2)** (m) For taxable years that begin after December 31, 1998, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1998, do not apply to this paragraph with respect to taxable years beginning after December 31, 1998.

SECTION 1748y. 71.43 (1) of the statutes is amended to read:

71.43 **(1)** INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax as provided under this chapter on all Wisconsin net incomes of corporations ~~which~~ that are not subject to the franchise tax under sub. (2) and ~~which~~ that own property within this state; that derive income from sources within this state or from activities that are attributable to this state; or whose business within this state during the taxable year, except as provided under s. 71.23 (3), consists exclusively of foreign commerce, interstate commerce, or both, or that buy or sell lottery prizes if the winning tickets were originally bought in this state; except as exempted under ss. 71.26 (1) and 71.45 (1). This section shall not be construed to prevent or affect the correction of errors or omissions in the assessments of income for former years under s. 71.74 (1) and (2).

SECTION 1748yb. 71.43 (2) of the statutes is amended to read:

71.43 **(2)** FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its franchise, buying or selling lottery prizes if the winning tickets were originally bought in this state or doing business in this state in a corporate capacity, except as provided under s. 71.23 (3), every domestic or foreign corporation, except corporations specified in ss. 71.26 (1) and 71.45 (1), shall annually pay a franchise tax according to or measured by its entire Wisconsin net income of the preceding taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in ss. 71.23 (3), 71.26 (1) and 71.45 (1), a corporation that ceases doing business in this state shall pay a special franchise tax according to or measured by its entire Wisconsin net income for the taxable year during which the corporation ceases doing business in this state at the rate under s. 71.46 (2). Every corporation organized under the laws of this state shall be deemed to be residing within this state for the purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to income taxation of corporations shall apply to franchise taxes imposed under this subsection, unless the context requires otherwise. The tax imposed by this subsection on insurance companies subject to taxation under this chapter shall be based on Wisconsin net income computed under s. 71.45, and no other provision of this chapter relating to computation of taxable income for other corporations shall apply to such insurance companies. All other provisions of this chapter shall apply to insurance companies subject to taxation under this chapter unless the context clearly requires otherwise.

SECTION 1748ym. 71.45 (1) of the statutes is amended to read:

71.45 **(1)** EXEMPT AND EXCLUDABLE INCOME. There shall be exempt from taxation under this subchapter income of insurers exempt from federal income taxation pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized under or subject to ch. 612, foreign insurers, and domestic insurers engaged exclusively in life insurance business, domestic insurers insuring against financial loss by reason of nonpayment of principal, interest and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust or other instrument constituting a lien or charge on real estate and corporations organized under ch. 185, but not including income of cooperative sickness care associations organized under s. 185.981, or of a service insurance corporation organized under ch. 613, that is derived from a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any shareholder or member, or operated on a cooperative plan pursuant to which they determine and distribute their proceeds in substantial compliance with s. 185.45. This subsection does not apply to income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state.

SECTION 1749k. 71.45 (2) (a) 10. of the statutes is amended to read: **Vetoed In Part**

71.45 **(2)** (a) 10. By adding to federal taxable income the amount of credit computed under s. 71.47 (1dd) to ~~(1dx)~~ (1dy) and not passed through by a partnership, limited liability company or tax–option corporation that has added that amount to the partnership's, limited liability company's or tax–option corporation's income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), (3), (4) and (5).

SECTION 1749m. 71.45 (2) (a) 13. of the statutes is amended to read:

71.45 **(2)** (a) 13. By adding or subtracting, as appropriate, the difference between the depreciation deduction under the federal Internal Revenue Code as amended to December 31, ~~1997~~ 1998 and the depreciation deduction under the federal Internal Revenue Code in effect for the taxable year for which the return is filed, so as to reflect the fact that the insurer may choose between these 2 deductions, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980.

SECTION 1749p. 71.45 (2) (a) 15. of the statutes is created to read:

71.45 **(2)** (a) 15. By subtracting from federal taxable income all income that is realized from the purchase and subsequent sale or redemption of lottery prizes that is treated as nonapportionable income under sub. (3r).

SECTION 1753d. 71.45 (3r) of the statutes is created to read:

71.45 **(3r)** ALLOCATION OF CERTAIN PROCEEDS. All income that is realized from the purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state shall be allocated to this state.

Vetoed In Part

SECTION 1753g. 71.45 (6) of the statutes is created to read:

71.45 **(6)** PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or limited partner's share of the numerator and denominator of a partnership's apportionment fractions under this section are included in the numerator and denominator of the general or limited partner's apportionment fractions under this section.

(b) If a limited liability company is considered by the department of revenue to be a partnership, for tax purposes, a member's share of the numerator and denominator of a limited liability company's apportionment fractions under this section are included in the numerator and denominator of the member's apportionment fractions under this section.

SECTION 1753m. 71.46 (3) of the statutes is amended to read:

71.46 **(3)** The tax imposed under this subchapter on each domestic insurer on or measured by its entire net income attributable to lines of insurance in this state may not exceed 2% of the gross premiums, as defined in s. 76.62, received during the taxable year by the insurer on all policies on those lines of insurance if the subject of that insurance was resident, located or to be performed in this state plus 7.9% of the income that is realized from the sale of or purchase and subsequent sale or redemption of lottery prizes if the winning tickets were originally bought in this state.

SECTION 1754g. 71.47 (1di) (a) (intro.) of the statutes is amended to read:

71.47 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35), for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against taxes otherwise due under this chapter 2.5% of the purchase price of depreciable, tangible personal property, or 1.75% of the purchase price of depreciable, tangible personal property that is expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

SECTION 1754h. 71.47 (1di) (a) 1. of the statutes is amended to read:

71.47 **(1di)** (a) 1. The investment must be in property that is purchased after the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations ~~for which the claimant is certified under s. 560.765 (3)~~ at a location in a development zone under subch. VI of ch. 560 or, if the property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

SECTION 1754j. 71.47 (1di) (d) 1. of the statutes is amended to read:

71.47 **(1di)** (d) 1. A copy of ~~the claimant's certification for~~ a verification from the department of commerce that the claimant may claim tax benefits under s. ~~560.765 (3)~~ 560.795 (3).

SECTION 1754k. 71.47 (1di) (f) of the statutes is amended to read:

71.47 **(1di)** (f) If ~~the certification of~~ a person ~~for~~ who is entitled under s. 560.795 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such tax benefits, that person may claim no credits under this subsection for the taxable year that includes the day on which the ~~certification is revoked~~ person becomes ineligible for tax benefits or succeeding taxable years and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which ~~certification is revoked~~ the person becomes ineligible for tax benefits or succeeding taxable years.

SECTION 1754L. 71.47 (1di) (g) of the statutes is amended to read:

71.47 **(1di)** (g) If a person who is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 1754m. 71.47 (1di) (i) of the statutes is amended to read:

71.47 **(1di)** (i) No credit may be claimed under this subsection for taxable years that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end before January 1, 2000. Credits under this subsection 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 1754t. 71.47 (1dj) (am) 1. of the statutes is amended to read:

71.47 **(1dj)** (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code as amended to December 31, 1995, to include persons unemployed as a result of a business action sub-

ject to s. 109.07 (1m) and ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC 2801 (9), and to require a member of a targeted group to be a resident of this state.

SECTION 1754v. 71.47 (1dj) (am) 2. of the statutes is amended to read:

71.47 **(1dj)** (am) 2. Modify "designated local agency", as defined in section 51 (d) (15) of the internal revenue code, to include the ~~job training partnership act organization~~ local workforce development board established under 29 USC 2832 for the area that includes the development zone in which the employe in respect to whom the credit under this subsection is claimed works, if the department of commerce approves the criteria used for certification, and the department of commerce.

SECTION 1755. 71.47 (1dj) (am) 3. of the statutes is amended to read:

71.47 **(1dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A) of the internal revenue code to allow certification within the ~~90–day~~ period beginning with the first day of employment of the employe ~~by the claimant~~.

SECTION 1755g. 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

71.47 **(1dx)** (b) *Credit.* (intro.) Except or provided in s. 73.03 (35) and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone under this subchapter the following amounts:

SECTION 1756. 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full–time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in ~~a~~ an enterprise development zone under s. 560.797 and ~~filled by a member of a targeted group~~ for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 1756d. 71.47 (1dx) (c) of the statutes is amended to read:

71.47 **(1dx)** (c) *Credit precluded.* If the certification of a person for tax benefits under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 1756e. 71.47 (1dx) (d) of the statutes is amended to read:

71.47 **(1dx)** (d) *Carry–over precluded.* If a person who is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

Vetoed In Part

SECTION 1756h. 71.47 (1dy) of the statutes is created to read:

71.47 **(1dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In this subsection:

1. "Brownfield" has the meaning given in sub. (1dx) (a) 1.

2. "Environmental remediation" means removal or containment of environmental pollution, as defined in s. 299.01 (4), and restoration of soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in a brownfield and investigation unless the investigation determines that remediation is required but remediation is not undertaken.

(b) *Credit.* For any taxable year for which the person is certified under s. 292.77 (5), a person may claim as a credit against taxes imposed under this subchapter 50% of the amount expended for environmental remediation under the program under s. 292.77.

(c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit under sub. (1dx), applies to the credit under this subsection.

SECTION 1757bd. 71.47 (2m) (b) 1. a. of the statutes is amended to read:

71.47 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection 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 par. (c). 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 paid from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

SECTION 1757be. 71.47 (2m) (b) 1. a. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

71.47 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and s. 71.80 (3) and (3m), a

claimant may claim as a credit against Wisconsin income taxes otherwise due, the amount derived under par. (c). If the allowable amount of claim exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft paid from the appropriations under s. 20.835 (2) (ka) and (q).

SECTION 1744bf. 71.47 (2m) (c) 3. of the statutes, as created by Wisconsin Act 5, is amended to read:

71.47 **(2m)** (c) 3. The department shall annually adjust the percentage that is used to determine the amount of a claim under subd. 1. based on the estimated number of claims and the amount estimated to be expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall incorporate the annually adjusted percentage into the income tax forms and instructions.

SECTION 1744bg. 71.47 (2m) (c) 3. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

71.47 **(2m)** (c) 3. The department shall annually adjust the percentage that is used to determine the amount of a claim under subd. 1. based on the estimated number of claims and the amount estimated to be expended from the appropriation under s. 20.835 (2) (q), as determined under s. 79.13. The department shall incorporate the annually adjusted percentage into the income tax forms and instructions.

Vetoed In Part

SECTION 1760q. 71.49 (1) (eon) of the statutes is created to read:

71.49 **(1)** (eon) Sustainable urban development zone credit under s. 71.47 (1dy).

SECTION 1762. 71.54 (1) (d) (intro.) of the statutes is amended to read:

71.54 **(1)** (d) *1991 ~~and thereafter~~ to 1999*. (intro.) The amount of any claim filed in 1991 ~~and thereafter~~ to 1999 and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

SECTION 1763. 71.54 (1) (e) of the statutes is created to read:

71.54 **(1)** (e) *2000*. The amount of any claim filed in 2000 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 1763c. 71.54 (1) (f) of the statutes is created to read:

71.54 **(1)** (f) *2001 and thereafter.* The amount of any claim filed in 2001 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 8.788% of the household income exceeding $8,000.

3. No credit may be allowed if the household income of a claimant exceeds $24,500.

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) or 49.148 (1m) or received assistance under s. 49.19, except assistance received:

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). 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)~~ the person who claims the prize. The administrator shall deposit the amounts withheld, on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

SECTION 1787. 71.67 (5) (a) of the statutes is amended to read:

71.67 **(5)** (a) *Wager winnings.* A person holding a license to sponsor and manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any payment of pari–mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount determined by multiplying the amount of the payment by the highest rate applicable to individuals under s. 71.06 (1) (a) to (c) ~~or~~, (1m), (1n) or (1p) if the amount of the payment is more than $1,000.

SECTION 1788. 71.75 (8) of the statutes is amended to read:

71.75 **(8)** A refund payable on the basis of a separate return shall be issued to the person who filed the return. A refund payable on the basis of a joint return shall be issued jointly to the persons who filed the return, except that, if a judgment of divorce under ch. 767 apportions any refund that may be due the formerly married persons to one of the former spouses, or between the spouses, and if they include with their income tax return a copy of that portion of the judgment of divorce that relates to the apportionment of their tax refund, the department shall issue the refund to the person to whom the refund is awarded under the terms of the judgment of divorce or the department shall issue one check to each of the former spouses according to the apportionment terms of the judgment.

SECTION 1797k. 73.03 (2a) of the statutes is amended to read: **Vetoed In Part**

73.03 **(2a)** To prepare, have published and distribute to each property tax assessor and to others who so request assessment manuals. The manual shall discuss and illustrate accepted assessment methods, techniques and practices with a view to more nearly uniform and more consistent assessments of property at the local level. The manual shall be amended by the department from time to time to reflect advances in the science of assessment, court decisions concerning assessment practices, costs, and statistical and other information considered valuable to local assessors by the department. The manual shall incorporate standards for the assessment of all types of renewable energy resource systems used in this state as soon as such systems are used in sufficient numbers and sufficient data exists to allow the formulation of valid guidelines. The manual shall incorporate standards, which the department of revenue and the state historical society of Wisconsin shall develop, for the assessment of nonhistoric property in historic districts and for the assessment of historic property, including but not limited to property that is being preserved or restored; property that is subject to a protective easement, covenant or other restriction for historic preservation purposes; property that is listed in the national register of historic places in Wisconsin or in this state's register of historic places and property that is designated as a historic landmark and is subject to restrictions imposed by a municipality or by a landmarks commission. The manual shall incorporate general guidelines about ways to determine whether property is taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The manual shall state that assessors are required to comply with s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement to it shall specify per acre value guidelines for each municipality for various categories of agricultural land based on the income that could be generated from its estimated rental for agricultural use, as defined by rule, and capitalization rates established by rule. The manual or a supplement to it shall not specify per acre value guidelines for each municipality unless such guidelines are based on procedures that are established by rule. The manual shall include guidelines for classifying land as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines for distinguishing between land and improvements to land. The cost of the development, preparation, publication and distribution of the manual and of revisions and amendments to it shall be borne by the assessors and requesters at an individual volume cost or a subscription cost as determined by the department. All receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The department may provide free assessment manuals to other state agencies or exchange them at no cost with

Vetoed In Part

agencies of other states or of the federal government for similar information or publications.

SECTION 1797m. 73.03 (33m) of the statutes is amended to read:

73.03 **(33m)** To collect, as taxes under ch. 71 are collected, from each person who owes to the department of revenue delinquent taxes, fees, interest or penalties, a fee for each delinquent account equal to $35 or 6.5% of the taxes, fees, interest and penalties owed as of the due date specified in the assessment, notice of amount due or notice of redetermination on that account, whichever is greater. The department of revenue shall deposit into the general fund as general purpose revenue–earned all fees collected under this subsection.

SECTION 1797p. 73.03 (33p) of the statutes is created to read:

73.03 **(33p)** To collect, as taxes under ch. 71 are collected, from each person who owes to the department of revenue delinquent taxes, fees, interest or penalties, a $20 fee for each delinquent taxpayer who enters into an agreement with the department of revenue to pay in instalments the taxpayer's delinquent taxes, including fees, interest or penalties and to collect costs incurred to the department of revenue for court actions that are related to the collection of delinquent taxes. The department of revenue shall deposit into the general fund as general purpose revenue–earned all fees and costs collected under this subsection.

SECTION 1798. 73.03 (35) of the statutes is amended to read:

Vetoed In Part Vetoed In Part

73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds) ~~or~~, (2dx) or (2dy), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (2dy) or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (2dy) or (4) (am) if granting the full amount claimed would violate ~~the~~ a requirement under s. ~~560.797 (4) (e)~~ 560.785 or would bring the total of the credits granted to that claimant under ~~s. 560.797 (4) (e), or the total of the credits granted to that claimant under~~ all of those subsections~~,~~ over the limit for that claimant under s. 560.768, 560.795 (2) (b) or 560.797 (5) (b).

SECTION 1798m. 73.03 (49) (b) of the statutes is repealed.

SECTION 1798r. 73.03 (50) of the statutes is renumbered 73.03 (50) (intro.) and amended to read:

73.03 **(50)** (intro.) With the approval of the joint committee on finance, to establish fees for obtaining a business tax registration certificate, which, except as provided in s. 73.0302, is valid for 2 years, and for renewing that certificate and, except as provided in s. 73.0302, shall issue and renew those certificates if the person who wishes to obtain or renew a certificate ~~applies~~ does all of the following:

(a) Applies on a form that the department prescribes~~; sets~~.

(b) Sets forth the name under which the applicant intends to operate, the location of the applicant's place of operations~~, the social security number of the applicant if the applicant is a natural person~~ and the other information that the department requires~~; and, in~~.

(d) In the case of a sole proprietor, signs the form or, in the case of other persons, has an individual who is authorized to act on behalf of the person sign the form, or, in the case of a single–owner entity that is disregarded as a separate entity under section 7701 of the Internal Revenue Code, the person is the owner.

SECTION 1798s. 73.03 (50) (c) of the statutes is created to read:

73.03 **(50)** (c) In the case of an applicant who is an individual and who has a social security number, sets forth the social security number of the applicant or, in the case of an applicant who is an individual and who does not have a social security number, submits a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certificate issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 1798t. 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 1798u. 73.0301 (1) (d) 6. of the statutes is amended to read:

73.0301 **(1)** (d) 6. A license or certificate of registration issued by the department of financial institutions, or a division of it, under s. 138.09, 138.12, 217.06, 218.01, 218.02, 218.04, 218.05 ~~or~~, 224.72, 224.93 or under subch. III of ch. 551.

SECTION 1798w. 73.0301 (2) (c) 1. a. of the statutes is amended to read:

73.0301 **(2)** (c) 1. a. If the license holder is an individual and has a social security number, the license holder's social security number.

SECTION 1798x. 73.0301 (2) (c) 1. am. of the statutes is created to read:

73.0301 **(2)** (c) 1. am. If the applicant is an individual and does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued in reliance upon a false statement submitted under this subd. 1. am. is invalid.

SECTION 1798y. 73.0301 (2) (c) 2. of the statutes is amended to read:

73.0301 **(2)** (c) 2. A licensing department may not disclose any information received under subd. 1. a. or b. to any person except to the department of revenue for the sole purpose of requesting certifications under par. (b) 2. in accordance with the memorandum of understanding under sub. (4) or to the department of workforce development for the purpose of administering s. 49.22.

SECTION 1801m. 73.0305 of the statutes is amended to read:

73.0305 Revenue limits and intradistrict transfer aid 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 s. 121.85 (6) (ar) and subch. VII of ch. 121. ~~For that limit, the~~ The allowable rate of increase is the percentage change in the consumer price index for all urban consumers, U.S. city average, between the preceding March 31 and the 2nd preceding March 31, as computed by the federal department of labor.

SECTION 1801n. 74.48 (1) of the statutes is renumbered 74.48 (1) (a) and amended to read:

74.48 **(1)** (a) If a person who owns land that has been valued under s. 70.32 (2r) ~~(b) is sold by a person who has owned it for less than 5 years and who has benefited from a value lower than that established by~~ changes the use of the land so that the land is not valued under s. 70.32 (2r) ~~(a)~~, there is imposed on that person a penalty equal to ~~5% of~~ the difference between the ~~sale price of the agricultural land and the value that would be established for it under s. 70.32 (2r) (c) during~~ property taxes that would have been levied on the land if the land had been assessed at full market value and the property taxes levied on the land for the last ~~year of the person's ownership~~ 2 years that the land has been valued under s. 70.32 (2r).

SECTION 1801p. 74.48 (1) (b) of the statutes is created to read:

74.48 **(1)** (b) A person who owns land that has been valued under s. 70.32 (2r) and who sells the land, shall notify the buyer of the land that the land has been valued under s. 70.32 (2r).

SECTION 1801r. 74.48 (2) of the statutes is amended to read:

74.48 **(2)** Any amount due under sub. (1) shall be paid to the ~~department of revenue~~ taxation district in which the land as described in sub. (1) is located. The taxation district shall distribute the amount to the taxing jurisdictions in which the land is located in proportion to the taxes levied by the taxing jurisdictions during the 2 years that the land has been valued under s. 70.32 (2r).

SECTION 1801s. 74.48 (3) of the statutes is amended to read:

74.48 **(3)** The ~~department of revenue~~ taxation district in which the land as described in sub. (1) is located shall administer the penalty under this section.

SECTION 1806. 75.17 of the statutes is created to read:

75.17 Transfer of contaminated land to a municipality. (1) In this section:

(a) "Hazardous substance" has the meaning given in s. 292.01 (5).

(b) "Municipality" means a city, village or town.

(2) If a county does not take a tax deed for property that is subject to a tax certificate and that is contaminated by a hazardous substance, within 2 years after the expiration of the redemption period that is described under s. 75.14 (1) and specified in s. 74.57 (2) (a) and (b) (intro.), the county shall take a tax deed for such property upon receiving a written request to do so from the municipality in which the property is located. The county may then retain ownership of the property or, if the county does not wish to retain ownership of the property, the county shall transfer ownership of the property to the municipality, for no consideration, within 180 days after receiving the written request from the municipality.

SECTION 1807. 76.025 (1) of the statutes is amended to read:

76.025 **(1)** The property taxable under s. 76.13 shall include all franchises, and all real and personal property of the company used or employed in the operation of its business, ~~except~~ excluding property that is exempt from the property tax under s. 70.11 (39), such motor vehicles as are exempt under s. 70.112 (5) and treatment plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The taxable property shall include all title and interest of the company referred to in such property as owner, lessee or otherwise, and in case any portion of the property is jointly used by 2 or more companies, the unit assessment shall include and cover a proportionate share of that portion of the property jointly used so that the assessments of the property of all companies having any rights, title or interest of any kind or nature whatsoever in any such property jointly used shall, in the aggregate, include only one total full value of such property.

SECTION 1808. 76.03 (1) of the statutes is amended to read:

76.03 **(1)** The property, both real and personal, including all rights, franchises and privileges used in and necessary to the prosecution of the business ~~and including property that is exempt from the property tax under s. 70.11 (39)~~ of any company enumerated in s. 76.02 shall be deemed personal property for the purposes of taxation, and shall be valued and assessed together as a unit.

SECTION 1809b. 76.28 (1) (d) of the statutes is amended to read:

76.28 **(1)** (d) "Gross revenues" for a light, heat and power company other than a qualified wholesale electric company or a transmission company means total operating revenues as reported to the public service commission except revenues for interdepartmental sales and for interdepartmental rents as reported to the public service commission and deductions from the sales and use tax under s. 77.61 (4), except that the company may subtract

from revenues either the actual cost of power purchased for resale, as reported to the public service commission, by a light, heat and power company, except a municipal light, heat and power company, that purchases under federal or state approved wholesale rates more than 50% of its electric power from a person other than an affiliated interest, as defined in s. 196.52 (1), if the revenue from that purchased electric power is included in the seller's gross revenues or the following percentages of the actual cost of power purchased for resale, as reported to the public service commission, by a light, heat and power company, except a municipal light, heat and power company that purchases more than 90% of its power and that has less than $50,000,000 of gross revenues: 10% for the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50% for the fee assessed on May 1, 1990, and thereafter. For a qualified wholesale electric company, "gross revenues" means total business revenues from those businesses included under par. (e) 1. to 4. For a transmission company, "gross revenues" means total operating revenues as reported to the public service commission, except revenues for transmission service that is provided to a public utility that is subject to the license fee under sub. (2) (d), to a public utility, as defined in s. 196.01 (5), or to a cooperative association organized under ch. 185 for the purpose of providing electricity to its members only. For an electric utility, as defined in s. 16.957 (1) (g), "gross revenues" does not include public benefits fees collected by the electric utility under s. 16.957 (4) (a) or (5) (a). For a generator public utility, "gross revenues" does not include any grants awarded to the generator public utility under s. 16.958 (2) (b). For a wholesale supplier, as defined in s. 16.957 (1) (w), "gross revenues" does not include any public benefits fees that are received from a municipal utility or retail electric cooperative or under a joint program established under s. 16.957 (5) (f). For a municipal utility, "gross revenues" does not include public benefits fees received by the municipal utility from a municipal utility or retail electric cooperative under a joint program established under s. 16.957 (5) (f).

SECTION 1809f. 76.28 (1) (e) (intro.) of the statutes is amended to read:

76.28 **(1)** (e) (intro.) "Light, heat and power companies" means any person, association, company or corporation, including corporations described in s. 66.069 (2) ~~and including~~, qualified wholesale electric companies and transmission companies and except only business enterprises carried on exclusively either for the private use of the person, association, company or corporation engaged in them, or for the private use of a person, association, company or corporation owning a majority of all outstanding capital stock or who control the operation of business enterprises and except electric cooperatives taxed under s. 76.48 that engage in any of the following businesses:

SECTION 1809g. 76.28 (1) (e) 5. of the statutes is created to read:

76.28 **(1)** (e) 5. Transmitting electric current for light, heat or power.

SECTION 1809h. 76.28 (1) (eg) of the statutes is created to read:

76.28 **(1)** (eg) "Municipal utility" has the meaning given in s. 16.957 (1) (q).

SECTION 1809j. 76.28 (1) (gr) of the statutes is created to read:

76.28 **(1)** (gr) "Retail electric cooperative" has the meaning given in s. 16.957 (1) (t).

SECTION 1809no. 76.28 (1) (j) of the statutes is created to read:

76.28 **(1)** (j) "Transmission company" has the meaning given in s. 196.485 (1) (ge).

SECTION 1809s. 76.28 (2) (c) (intro.) of the statutes is amended to read:

76.28 **(2)** (c) (intro.) ~~For~~ Except as provided under par. (e), for private light, heat and power companies for 1986 and thereafter, an amount equal to the apportionment factor multiplied by the sum of:

SECTION 1809w. 76.28 (2) (d) of the statutes is amended to read:

76.28 **(2)** (d) ~~For~~ Except as provided under par. (e), for municipal light, heat and power companies, an amount equal to the gross revenues, except gross revenues from operations within the municipality that operates the company, multiplied by the rates under par. (b) or (c).

SECTION 1809y. 76.28 (2) (e) of the statutes is created to read:

76.28 **(2)** (e) For transmission companies, an amount equal to the gross revenues multiplied by the rates under par. (c).

SECTION 1809zm. 76.48 (1g) (d) of the statutes is amended to read:

76.48 **(1g)** (d) "Gross revenues" means total operating revenues, except revenues for interdepartmental sales and for interdepartmental rents, less deductions from the sales and use tax under s. 77.61 (4) and, in respect to any electric cooperative that purchases more than 50% of the power it sells, less the actual cost of power purchased for resale by an electric cooperative, if the revenue from that purchased electric power is included in the seller's gross revenues or if the electric cooperative purchased more than 50% of the power it sold in the year prior to January 1, 1988, from a seller located outside this state. For an electric cooperative, "gross revenues" does not include grants awarded to the electric cooperative under s. 16.958 (2) (b). For a retail electric cooperative, "gross revenues" does not include public benefits fees collected by the retail electric cooperative under s. 16.957 (5) (a), public benefits fees received by the retail electric cooperative from a retail electric cooperative or municipal utility under a joint program established under s. 16.957 (5)

(f). For a wholesale supplier, as defined in s. 16.957 (1) (w), "gross revenues" does not include any public benefits fees that are received from a municipal utility, as defined in s. 16.957 (1) (q), or retail electric cooperative or under a joint program established under s. 16.957 (5) (f).

SECTION 1809zo. 76.48 (1g) (dm) of the statutes is created to read:

76.48 **(1g)** (dm) "Municipal utility" has the meaning given in s. 16.957 (1) (q).

SECTION 1809zp. 76.48 (1g) (fm) of the statutes is created to read:

76.48 **(1g)** (fm) "Retail electric cooperative" has the meaning given in s. 16.957 (1) (t).

SECTION 1810d. 76.91 (1m) of the statutes is created to read:

76.91 **(1m)** If the amount calculated under sub. (1) is a negative amount and the taxpayer's annual gross revenue under s. 76.38, 1993 stats., is less than $10,000,000, the taxpayer may claim a credit against the fee imposed under this subchapter as follows:

(a) For the transitional adjustment fee paid for 1999, the taxpayer may consider the negative amount calculated under sub. (1) to be a positive amount and may claim a credit in an amount equal to 60% of the positive amount.

(b) For the transitional adjustment fee paid for the year 2000, the taxpayer may consider the negative amount calculated under sub. (1) to be a positive amount and may claim a credit in an amount equal to 40% of the positive amount.

SECTION 1810em. Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77
TAXATION OF FOREST CROPLANDS; REAL ESTATE TRANSFER FEES; SALES AND USE TAXES; COUNTY AND SPECIAL DISTRICT SALES AND USE TAXES; MANAGED FOREST LAND; ~~TEMPORARY~~ RECYCLING SURCHARGE; LOCAL FOOD AND BEVERAGE TAX; LOCAL RENTAL CAR TAX; PREMIER RESORT AREA TAXES; STATE RENTAL VEHICLE FEE; DRY CLEANING FEES

SECTION 1810fm. 77.21 (1) of the statutes is amended to read:

77.21 **(1)** "Conveyance" includes deeds and other instruments for the passage of ownership interests in real estate, including contracts and assignments of a vendee's interest therein, including instruments that are evidence of a sale of time–share property, as defined in s. 707.02 (32), and including leases for at least 99 years but excluding leases for less than 99 years, easements and wills.

SECTION 1810gm. 77.25 (21) of the statutes is created to read:

77.25 **(21)** Of transmission facilities or land rights to the transmission company, as defined in s. 196.485 (1) (ge), under s. 196.485 (5) (b) or (c) or (6) (a) 1. in exchange for securities, as defined in s. 196.485 (1) (fe).

SECTION 1810hm. 77.255 of the statutes is amended to read: **Vetoed In Part**

77.255 Exemptions from return. No return is required with respect to conveyances exempt under s. 77.25 (1), (2r), (3), (4) or (11) 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 1812Lm. 77.51 (4) (c) 6. of the statutes is repealed.

SECTION 1812Lmg. 77.51 (9) (e) of the statutes is amended to read:

77.51 **(9)** (e) ~~An auction which is~~ Five or fewer auctions that are the sale of personal farm property or household goods and ~~not~~ that are held by the same auctioneer at ~~regular intervals~~ the same location during the year. In this paragraph, with respect to indoor locations, "location" means a building, except that in the case of a shopping center or a shopping mall "location" means a store.

SECTION 1812Lmr. 77.51 (14g) (fm) of the statutes is created to read:

77.51 **(14g)** (fm) The transfer of transmission facilities, as defined in s. 196.485 (1) (h), to a transmission company, as defined in s. 196.485 (1) (ge), after the organizational start–up date, as defined in s. 196.485 (1) (dv), of such company in exchange for securities, as defined in s. 196.485 (1) (fe);

SECTION 1812Ln. 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 time–share property, as 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 1812Lp. 77.52 (2) (a) 2. of the statutes is amended to read:

77.52 **(2)** (a) 2. The sale of admissions to amusement, athletic, entertainment or recreational events or places except county fairs, the sale, rental or use of regular bingo cards, extra regular cards, special bingo cards and the sale of bingo supplies to players and the furnishing, for dues, fees or other considerations, the privilege of access to clubs or the privilege of having access to or the use of amusement, entertainment, athletic or recreational devices or facilities, including~~, in connection with the sale or use of time–share property, as defined in s. 707.02 (32),~~ the sale or furnishing of use of recreational facilities on a periodic basis or other recreational rights, including but not limited to membership rights, vacation services and club memberships.

SECTION 1812Lr. 77.54 (20) (c) 4m. of the statutes is created to read:

77.54 **(20)** (c) 4m. Taxable sales do not include food and beverage items under pars. (b) 4. and (c) 2., and disposable products that are transferred with such items, that are provided by a restaurant to the restaurant's employe during the employe's work hours.

SECTION 1812np. 77.54 (20) (c) 6. of the statutes is amended to read:

77.54 **(20)** (c) 6. For purposes of subd. 1., "premises" shall be construed broadly, and, by way of illustration but not limitation, shall include the lobby, aisles and auditorium of a theater or the seating, aisles and parking area of an arena, rink or stadium or the parking area of a drive–in or outdoor theater. The premises of a caterer with respect to catered meals or beverages shall be the place where served. ~~Vending machine premises shall include the room or area in which located~~ Sales from a vending machine shall be considered sales for off–premises consumption.

SECTION 1812p. 77.54 (30) (a) 3. of the statutes is amended to read:

77.54 **(30)** (a) 3. Electricity sold ~~during the months of November, December, January, February, March and April~~ for use in farming, including but not limited to agriculture, dairy farming, floriculture and horticulture.

Vetoed In Part

SECTION 1812t. 77.54 (44) of the statutes is created to read:

77.54 **(44)** The gross receipts from the sale of and the storage, use or other consumption of materials, supplies and fuel used in the maintenance of railroad tracks and rights–of–way.

Vetoed In Part

SECTION 1813v. 77.54 (44) of the statutes is created to read:

77.54 **(44)** The gross receipts from the collection of public benefits fees that are charged under s. 16.957 (4) (a) or (5) (a).

SECTION 1815. 77.60 (2) (intro.) of the statutes is amended to read:

77.60 **(2)** (intro.) Delinquent sales and use tax returns shall be subject to a ~~$10~~ $20 late filing fee unless the return was not timely filed because of the death of the person required to file or unless the return was not timely filed ~~because of a reasonable~~ due to good cause and not ~~because of~~ due to neglect. The fee shall not apply if the department has failed to issue a seller's permit or a use tax registration within 30 days of the receipt of an application for a seller's permit or use tax registration accompanied by the fee established under s. 73.03 (50), if the person does not hold a valid certificate under s. 73.03 (50), and the security required under s. 77.61 (2) has not been placed with the department. Delinquent sales and use taxes shall bear interest at the rate of 1.5% per month until paid. The taxes imposed by this subchapter shall become delinquent if not paid:

SECTION 1815g. 77.63 of the statutes is created to read:

77.63 Agreements with direct marketers. (1) (a) The department of revenue may enter into agreements with out–of–state direct marketers to collect the sales tax and the use tax imposed under this subchapter at the rate imposed under this subchapter plus the rate imposed under subch. V. An out–of–state direct marketer that collects the sales tax and the use tax under this section may retain 5% of the first $1,000,000 of the taxes collected in a year and 6% of the taxes collected in excess of $1,000,000 in a year. This section does not apply to an out–of–state direct marketer who is required to collect the sales tax and the use tax imposed under this subchapter and under subch. V.

(b) Sections 77.58, 77.59 and 77.60, as they apply to the taxes imposed under this subchapter, apply to agreements under this section, except that the department of revenue may negotiate payment schedules and audit procedures with out–of–state direct marketers. The retailer's discount under s. 77.61 (4) (c) does not apply to agreements under this section.

(2) Annually, by July 31, the department of revenue shall certify to the department of health and family services an amount equal to one–eleventh of the taxes collected under sub. (1) for grants to counties under s. 46.513.

SECTION 1816. 77.76 (3) of the statutes is amended to read:

77.76 **(3)** From the appropriation under s. 20.835 (4) (g) the department shall distribute ~~98.5%~~ 98.25% of the

county taxes reported for each enacting county, minus the county portion of the retailers' discounts, to the county and shall indicate the taxes reported by each taxpayer, no later than the end of the 3rd month following the end of the calendar quarter in which such amounts were reported. In this subsection, the "county portion of the retailers' discount" is the amount determined by multiplying the total retailers' discount by a fraction the numerator of which is the gross county sales and use taxes payable and the denominator of which is the sum of the gross state and county sales and use taxes payable. The county taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments of the county taxes previously distributed. Interest paid on refunds of county sales and use taxes shall be paid from the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1) (a). The county may retain the amount it receives or it may distribute all or a portion of the amount it receives to the towns, villages, cities and school districts in the county. Any county receiving a report under this subsection is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

SECTION 1817. 77.76 (4) of the statutes is amended to read:

77.76 **(4)** There shall be retained by the state 1.5% of the taxes collected ~~under this subchapter~~ for taxes imposed by special districts under s. 77.705 and 1.75% of the taxes collected for taxes imposed by counties under s. 77.70 to cover costs incurred by the state in administering, enforcing and collecting the tax. All interest and penalties collected shall be deposited and retained by this state in the general fund.

SECTION 1817bb. Subchapter VII (title) of chapter 77 [precedes 77.92] of the statutes is amended to read:

CHAPTER 77

~~TEMPORARY~~ RECYCLING SURCHARGE

SECTION 1817bc. 77.92 (4) of the statutes is amended to read:

77.92 **(4)** "Net business income", with respect to a partnership, means taxable income as calculated under section 703 of the ~~internal revenue code~~ Internal Revenue Code; plus the items of income and gain under section 702 of the ~~internal revenue code~~ Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the ~~internal revenue code~~ Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments ~~treated as not made~~ to partners under section 707 ~~(a)~~ (c) of the ~~internal revenue code~~ Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx) and (3s); and plus or minus, as appropriate, transitional adjustments, depreciation differences and basis differences under s. 71.05 (13), (15), (16), (17) and (19); but excluding income, gain, loss and deductions from farming. "Net business income", with respect to a natural person, estate or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employe as defined in section 3121 (d) (3) of the ~~internal revenue code~~ Internal Revenue Code.

SECTION 1817bcm. 77.92 (4r) of the statutes is repealed.

SECTION 1817bd. 77.93 (intro.) of the statutes is amended to read:

77.93 Applicability. (intro.) For the privilege of doing business in this state, there is imposed a ~~temporary~~ recycling surcharge on the following entities:

SECTION 1817be. 77.93 (1) of the statutes is amended to read:

77.93 **(1)** All corporations required to file a return under subch. IV or V of ch. 71 that have ~~at least $4,000~~ more than $1,000,000 in ~~total~~ gross receipts from all activities for the taxable year except corporations that are exempt from taxation under s. 71.26 (1) and that have no unrelated business income reportable under s. 71.24 (1m). The surcharge is imposed on the tax–option corporation, not on its shareholders, except that if a tax–option corporation's surcharge is delinquent, its shareholders are jointly and severally liable for it. **Vetoed In Part**

SECTION 1817bf. 77.93 (4) of the statutes is amended to read:

77.93 **(4)** All insurers that are required to file a return under subch. VII of ch. 71 and that have ~~at least $4,000~~ more than $1,000,000 in ~~total~~ gross receipts from all activities for the taxable year. **Vetoed In Part**

SECTION 1817bg. 77.94 (1) (intro.) of the statutes is amended to read:

77.94 **(1)** (intro.) Except as provided in ~~subs.~~ sub. (2) ~~and (3)~~, for taxable years ~~ending~~ beginning after ~~April 1, 1991~~ December 31, 1999, the surcharge imposed under s. 77.93 is calculated as follows:

SECTION 1817bh. 77.94 (1) (a) of the statutes is amended to read:

77.94 **(1)** (a) On a corporation under s. 77.93 (1) and (4), an amount equal to the amount calculated by multiplying gross tax liability for the taxable year of the corporation by ~~5.5%~~ 3.3%, or in the case of a tax–option corporation an amount equal to the amount calculated by multiplying net income under s. 71.34 by ~~0.4345%~~ 0.2607%, up to a maximum of ~~$9,800~~ $20,000, or $25, whichever is greater. **Vetoed In Part** **Vetoed In Part**

SECTION 1817bi. 77.94 (1) (b) of the statutes is amended to read:

77.94 **(1)** (b) On an entity under s. 77.93 (2) or (3), except an entity that has ~~less than $4,000~~ no more than $1,000,000 of gross receipts, an amount equal to the amount calculated by multiplying net business income as allocated or apportioned to this state by means of the **Vetoed In Part**

methods under s. 71.04, for the taxable year of the entity by ~~0.4345%~~ 0.2607%, up to a maximum of ~~$9,800~~ $20,000, or $25, whichever is greater.

Vetoed In Part

SECTION 1817bj. 77.94 (1) (c) of the statutes is amended to read:

77.94 **(1)** (c) On an entity under s. 77.93 (5), except an entity that has ~~a net farm profit~~ gross receipts from farming of ~~less~~ no more than ~~$1,000~~ $1,000,000, a surcharge of $25, regardless of whether the entity is subject to a surcharge determined under par. (b).

SECTION 1817bk. 77.94 (3) of the statutes is repealed.

SECTION 1817bL. 77.94 (4) of the statutes is repealed.

SECTION 1817bm. 77.945 of the statutes is repealed.

SECTION 1817bn. 77.96 (6) of the statutes is amended to read:

77.96 **(6)** The department of revenue shall refer to the surcharge under this subchapter as the ~~temporary~~ recycling surcharge.

SECTION 1817d. 77.982 (3) of the statutes is amended to read:

77.982 **(3)** From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute ~~97%~~ 97.45% of the taxes collected under this subchapter for each district to that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this subchapter shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Those taxes may be used only for the district's debt service on its bond obligations. Any district that receives a report along with a payment under this subsection is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

SECTION 1817g. 77.991 (3) of the statutes is amended to read:

77.991 **(3)** From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute ~~97%~~ 97.45% of the taxes collected under this subchapter for each district to that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this subchapter shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Those taxes may be used only for the district's debt service on its bond obligations. Any district that receives a report along with a payment under this subsection is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

SECTION 1818. 77.996 (2) (i) of the statutes is created to read:

77.996 **(2)** (i) Formal wear rental firms.

SECTION 1818c. 77.996 (4) of the statutes is created to read:

77.996 **(4)** "Formal wear" includes tuxedos, suits and dresses, but does not include costumes, table linens or household fabrics.

SECTION 1818cm. 77.996 (5) of the statutes is created to read:

77.996 **(5)** "Formal wear rental firm" means a facility that rents formal wear to the general public and dry cleans only the formal wear that it rents to the general public.

SECTION 1818d. 77.9961 (1) of the statutes is amended to read:

77.9961 **(1)** No person may operate a dry cleaning facility in this state unless the person completes and submits to the department a form that the department prescribes and pays to the department a fee for each dry cleaning facility that the person operates. The fee ~~is~~ shall be paid in instalments, as provided in sub. (2), and each instalment is equal to 1.8% of the ~~previous year's~~ gross receipts from the previous 3 months from dry cleaning apparel and household fabrics, but not from formal wear the facility rents to the general public.

SECTION 1818f. 77.9961 (2) of the statutes is amended to read:

77.9961 **(2)** Persons who owe a fee under this section shall pay it in instalments on or before April 25, July 25, October 25 and January ~~15~~ 25. The department shall issue a license to each person who pays the ~~fee~~ January 25 instalment and the previous 3 instalments and submits the form under this section. The license is valid ~~through December 31 of~~ for the year ~~during~~ in which the ~~fee~~ January 25 instalment is due. If a dry cleaning facility is sold, the seller may transfer the license to the buyer. Each holder of a license under this section shall display it prominently in the facility to which it applies.

SECTION 1818g. 77.9961 (4) of the statutes is renumbered 77.9961 (4) (a).

SECTION 1818h. 77.9961 (4) (b) of the statutes is created to read:

77.9961 **(4)** (b) Any person who operates a dry cleaning facility and who pays an instalment under sub. (2) after the instalment is due shall pay to the department a penalty of $5 for each day from the date that the instalment is due to the date that the instalment is paid.

SECTION 1818L. 77.9964 (4) of the statutes is created to read:

77.9964 **(4)** The department shall reimburse the owner or operator of a formal wear rental firm an amount equal to the sum of any fees paid by the owner or operator under s. 77.9961 (1) prior to the effective date of this subsection .... [revisor inserts date].

SECTION 1818Lk. 79.01 (1) of the statutes is amended to read:

79.01 **(1)** There is established an account in the general fund entitled the "Expenditure Restraint Program Account". There shall be appropriated to that account $25,000,000 in 1991, in 1992 and in 1993, $42,000,000 in 1994 ~~and~~, $48,000,000 in each year beginning in 1995 and ending in 1999 and $57,000,000 in the year 2000 and in each year thereafter.

SECTION 1818Ln. 79.03 (3c) (f) of the statutes is amended to read:

79.03 **(3c)** (f) *Distribution amount.* If the total amounts calculated under pars. (c) to (e) exceed the total amount to be distributed under this subsection, the amount paid to each eligible municipality shall be paid on a prorated basis. The total amount to be distributed under this subsection from s. 20.835 (1) (b) is $10,000,000 beginning in 1996 and ending in 1999 and $11,875,000 $11,000,000 in the year 2000 and in each year thereafter.

Vetoed In Part

Vetoed In Part

SECTION 1818Lp. 79.03 (4) of the statutes is amended to read:

79.03 **(4)** ~~In 1991, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is $869,000,000. In 1992, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is $885,961,300. In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is $903,680,500. In 1994, the total amounts to be distributed under this section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are $746,547,500 to municipalities and $168,981,800 to counties. In~~ Beginning in 1995 and ~~subsequent years~~ ending in 1999, the total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are $761,478,000 to municipalities and $168,981,800 to counties. In the year 2000 and subsequent years, the total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are $776,707,600 to municipalities and $172,361,400 to counties.

SECTION 1818Lq. 79.05 (2) (c) of the statutes is amended to read:

79.05 **(2)** (c) Its municipal budget, exclusive of principal and interest on long–term debt and exclusive of payments of the recycling fee under s. 289.645, for the year of the statement under s. 79.015 increased over its municipal budget as adjusted under sub. (6), exclusive of principal and interest on long–term debt and exclusive of payments of the recycling fee under s. 289.645, for the year before that year by less than the sum of the inflation factor and the valuation factor, rounded to the nearest 0.10%.

SECTION 1818Ls. 79.058 (3) (b) of the statutes is amended to read:

79.058 **(3)** (b) ~~In~~ Beginning in 1995 and ~~subsequent years~~ ending in 1999, $20,159,000.

SECTION 1818Lt. 79.058 (3) (c) of the statutes is created to read:

79.058 **(3)** (c) In the year 2000 and subsequent years, $20,763,800.

SECTION 1818Lu. 79.10 (10) (bn) of the statutes is created to read:

79.10 **(10)** (bn) If a person who owns and uses property as specified under sub. (1) (dm) as of the certification date under par. (a), transfers the property after the certification date, the transferee may apply for the credit under sub. (9) (bm) on a form prescribed by the department of revenue. The transferee shall attest that, to the transferee's knowledge, the transferor used the property in the manner specified under sub. (1) (dm) as of the certification date under par. (a). A claim that is made under this paragraph is valid for the year in which the property is transferred.

SECTION 1818mLb. 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin Act 5, is amended to read:

79.10 **(11)** (b) Before October 16, the department of administration shall determine the total funds available for distribution under the lottery and gaming credit in the following year and shall inform the joint committee on finance of that total. Total funds available for distribution shall be all moneys projected to be transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and (jm) and all existing and projected lottery proceeds and interest for the fiscal year of the distribution, less the amount estimated to be expended ~~under ss. 20.455 (2) (r), 20.566 (2) (r) and~~ s. 20.835 ~~(2) (q) and~~ (3) (r) and less the required reserve under s. 20.003 (5). The joint committee on finance may revise the total amount to be distributed if it does so at a meeting that takes place before November 1. If the joint committee on finance does not schedule a meeting to take place before November 1, the total determined by the department of administration shall be the total amount estimated to be distributed under the lottery and gaming credit in the following year.

SECTION 1818mLc. 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

79.10 **(11)** (b) Before October 16, the department of administration shall determine the total funds available for distribution under the lottery and gaming credit in the following year and shall inform the joint committee on finance of that total. Total funds available for distribution shall be all moneys projected to be transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and (jm) and all existing and projected lottery proceeds and interest for the fiscal year of the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r), 20.566 (2) (r) and 20.835 (2) (q) and (3) (r) and less the required reserve under s. 20.003 (5). The joint committee on finance may revise the total amount to be distributed if it does so at a meeting that takes place before November 1. If the joint committee on finance does not schedule a meeting to take place before November 1, the total

determined by the department of administration shall be the total amount estimated to be distributed under the lottery and gaming credit in the following year.

SECTION 1818mLd. 79.13 (1) of the statutes, as created by 1999 Wisconsin Act 5, is amended to read:

79.13 **(1)** In the 1999–2000 fiscal year, the amount that is estimated to be expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn) is $15,000,000.

SECTION 1818mLf. 79.13 (2) of the statutes, as created by 1999 Wisconsin Act 5, is renumbered 79.13 (2) (a) and amended to read:

79.13 **(2)** (a) In the 2000–01 fiscal year, ~~and in each fiscal year thereafter,~~ the amount that is estimated to be expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn) is $15,000,000, plus the amount that is estimated to be expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn) in the previous fiscal year and less the actual amount that is expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn) in the previous fiscal year.

Vetoed In Part

SECTION 1818mLg. 79.13 (2) (b) of the statutes is created to read:

Vetoed In Part

79.13 **(2)** (b) In the 2001–02 fiscal year, the amount that is estimated to be expended from the appropriation under s. 20.835 (2) (q) is $15,000,000, plus the amount that is estimated to be expended from the appropriation under s. 20.835 (2) (dn) in the previous fiscal year and less the actual amount that is expended from the appropriation under s. 20.835 (2) (dn) in the previous fiscal year.

Vetoed In Part

SECTION 1818mLh. 79.13 (2) (c) of the statutes is created to read:

Vetoed In Part

79.13 **(2)** (c) In the 2002–03 fiscal year, and in each fiscal year thereafter, the amount that is estimated to be expended from the appropriation under s. 20.835 (2) (q) is $15,000,000, plus the amount that is estimated to be expended from the appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual amount that is expended from the appropriation under s. 20.835 (2) (q) in the previous fiscal year.

SECTION 1818mn. 84.01 (30) (g) of the statutes is created to read:

84.01 **(30)** (g) 1. In this paragraph, "park–and–ride facility" means a facility with a parking lot and, within a reasonable walking distance, a station or transfer point where commuters access a mass transit system.

2. If the department determines that such a provision advances the public interest, a provision exempting the private entity from the restrictions under ss. 84.25 (11) and 86.19 (1), and specifying any requirements that the department determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1). This subdivision applies only to park–and–ride facilities.

Vetoed In Part

SECTION 1818p. 84.01 (31) of the statutes is created to read:

84.01 **(31)** STATE HIGHWAY REHABILITATION FUNDS. The department may not use funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or replacement of curb and pavement or other markings, or for the operation, maintenance or replacement of highway signs, traffic signals or highway lighting, unless the maintenance, replacement or operation is in conjunction with activities related to a state trunk highway reconditioning, reconstruction or resurfacing project.

Vetoed In Part

SECTION 1818r. 84.013 (2) (a) of the statutes is amended to read:

84.013 **(2)** (a) ~~Major~~ Subject to s. 86.255, major highway projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866 (2) (ur) to (uu).

SECTION 1818t. 84.013 (2) (b) of the statutes is amended to read:

84.013 **(2)** (b) ~~Reconditioning~~ Subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under s. 20.395 (3) (cq) to (cx).

SECTION 1818w. 84.013 (3) (ra) of the statutes is created to read:

84.013 **(3)** (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond du Lac counties.

SECTION 1819. 84.013 (3) (zb) of the statutes is created to read:

84.013 **(3)** (zb) USH 41 extending from 1.5 miles south of Frog Pond Road in Oconto County to 1.3 miles north of Schacht Road in Marinette County.

SECTION 1819c. 84.013 (4) (a) of the statutes is amended to read:

84.013 **(4)** (a) ~~In~~ Subject to s. 13.489 (1m), in preparation for future major highway projects, the department may perform preliminary engineering and design work and studies for possible major highway projects not listed under sub. (3), but no major highway may be constructed unless the project is listed under sub. (3) or approved under sub. (6).

SECTION 1819d. 84.013 (4) (b) of the statutes is amended to read:

84.013 **(4)** (b) The department may not, within any 6–year period, construct a highway project consisting of separate contiguous projects which do not individually qualify as major highway projects but which in their entirety would constitute a major highway project without first submitting the project to the transportation projects commission for its recommendations and report and without specific authorization under sub. (3), except as provided in par. (c) and sub. (6).

SECTION 1819e. 84.013 (4) (c) of the statutes is created to read:

84.013 **(4)** (c) The department may construct highway projects involving STH 59 between STH 164 on the eastern edge of the city of Waukesha and Calhoun Road in Waukesha County and STH 59 from Calhoun Road to the Waukesha County line in Waukesha County without

first submitting the projects to the transportation projects commission for its recommendations and report and without specific authorization under sub. (3).

Vetoed In Part

SECTION 1819j. 84.014 of the statutes is created to read:

84.014 Intelligent transportation systems. (1) In this section, "intelligent transportation system" means a specialized computer or other technical system, including roadway detector loops, closed circuit television, variable message signs, ramp meters or an integrated traffic signal system, that is used for the purpose of traffic flow measurement and management, congestion avoidance, incident management, travel time information or other similar purposes.

(2) The department may fund the installation, maintenance and replacement of intelligent transportation systems. After June 30, 2000, the department may encumber funds for intelligent transportation systems only from the appropriation accounts under s. 20.395 (3) (gq) to (gx) unless the intelligent transportation system is physically integrated with and installed as part of a highway project that includes construction or improvement in addition to the intelligent transportation system.

SECTION 1819rg. 84.02 (14) of the statutes is created to read:

84.02 **(14)** I 39 INTERCHANGE. If a waiver from the federal department of transportation is required for the construction of an interchange at the intersection of I 39 and Kowalski Road in Marathon County, and if the state department of transportation determines that construction of the interchange will have no adverse impact on safety in the vicinity of the intersection, the state department of transportation shall request a waiver to permit construction of the interchange. If a waiver is granted, or if the state department of transportation determines both that a waiver is not required and that such construction will have no adverse impact on safety in the vicinity of the intersection, the department of transportation shall design the interchange specified in this subsection and allocate funds from the appropriations under s. 20.395 (3) (cq) to (cx) sufficient to construct the interchange.

SECTION 1819rgg. 84.03 (9) (a) of the statutes is amended to read:

84.03 **(9)** (a) ~~That~~ Subject to s. 86.255, that part of the appropriation made by s. 20.395 (3), not required for the other purposes therein provided, may be used by the department for the improvement and traffic service of the state trunk highway system and connecting highways, for the purchase and operation of equipment, making surveys for locating local road materials, testing of materials, and for other purposes provided in this section, and to match or supplement federal aid for the construction, reconstruction or improvement of the federal aid highway system, secondary or feeder roads, the elimination of hazards at railroad grade crossings and for any other highway purpose for which the state may match or supplement federal aid funds pursuant to any act of congress. Where such funds are used for the improvement of the state trunk highway system or connecting highways or to match or supplement federal aid they shall be expended in accordance with s. 84.06 and any applicable act of congress. Any funds expended pursuant to this paragraph shall be expended by the department on such projects within the provisions of this paragraph, and executed in such manner as the department shall from time to time determine will best meet the needs of travel and best promote the general welfare. Such funds may be used for improvements, within the provisions of this paragraph, independent of or in conjunction with other funds available for such improvements. ~~The~~ Subject to s. 86.255, the requirements of any federal highway act, or regulations issued thereunder, may be met from such appropriation.

SECTION 1819rgm. 84.065 (4) of the statutes is amended to read:

84.065 **(4)** FUNDS. ~~The~~ Subject to s. 86.255, the department may make loans under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total outstanding balance of loans under this section may not exceed $500,000.

SECTION 1819rm. 84.1044 of the statutes is created to read:

84.1044 John R. Plewa Memorial Lake Parkway. The department shall designate and mark I 794 and STH 794 in Milwaukee County commencing from the Daniel Webster Hoan Memorial Bridge and proceeding southerly to the intersection with East Layton Avenue as the "John R. Plewa Memorial Lake Parkway" in recognition and appreciation of the life of John R. Plewa and his public service as a member of the Wisconsin legislature for more than 20 years.

SECTION 1820. 84.106 of the statutes is created to read:

84.106 Scenic byways program. (1) DESIGNATION. The department shall develop, implement and administer a program to designate highways, as defined in s. 340.01 (22), or portions of highways in this state that have outstanding scenic, historic, cultural, natural, recreational or archeological qualities as scenic byways. The department may seek designation by the federal government of a highway designated as a scenic byway under this section as a national scenic byway or as an All–American Road.

(2) RULES. The department shall promulgate rules under this section consistent with 23 USC 162 and regulations established under that section.

SECTION 1820k. 84.11 (5n) of the statutes is created to read:

84.11 **(5n)** DESIGN–BUILD CONTRACTS. (a) In this subsection, "design–build contract" means a contract for a project under which the engineering, design and construction services are provided by a single entity.

(b) Notwithstanding any other provision of this section and ss. 84.01 (13) and 84.06 (2), the department may enter into a design–build contract for the design and construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats., and for which no contract for construction is awarded before May 1, 1999. The department may enter into a contract under this paragraph only if all of the following conditions are met:

1. The design–build contract is awarded through a competitive selection process that utilizes, at a minimum, contractor qualifications, quality, completion time and cost as award criteria. In order to be eligible to participate in the selection process, the contractor must be prequalified by the department as a design consultant and as a contractor.

2. The design–build contract is approved by the secretary of the federal department of transportation under an experimental program described under section 1307 (d) of P.L. 105–178 pursuant to the authority granted under section 1307 (e) of P.L. 105–178.

3. The design–build contract is approved by the governor.

(c) No later than 5 years after the effective date of this paragraph .... [revisor inserts date], the department shall submit a report to the governor, and to the legislature under s. 13.172 (2), describing the effectiveness of the design–build process contracting procedures under this subsection.

SECTION 1820L. 84.11 (5r) of the statutes is created to read:

84.11 **(5r)** MILWAUKEE 6TH STREET VIADUCT COST SHARING. Notwithstanding sub. (5m), the costs for any project governed by an agreement that is in effect before June 30, 1993, for which funding is provided under s. 84.11 (5), 1993 stats., and for which no contract for construction is awarded before May 1, 1999, shall be paid as specified in an agreement entered into on or after April 20, 1999, by the city and county in which the bridge is wholly located and this state.

Vetoed In Part

SECTION 1820m. 84.185 (10) of the statutes is created to read:

84.185 **(10)** PRIORITY OF BROWNFIELDS. The department shall promote the program under this section as required under s. 85.61.

SECTION 1820mg. 84.20 of the statutes is amended to read:

84.20 State repair and maintenance of highways and streets. Damage to any county trunk or town highway or city or village street caused by reason of its use as a detour designated by the department or for hauling materials incident to the maintenance, repair or construction by the department of any state trunk highway or street over which a state trunk highway is routed, shall be repaired by the department. Such highway or street shall also be maintained by the department during such use. ~~The~~ Subject to s. 86.255, the cost of such repairs and maintenance shall be paid from funds appropriated and available to the department for the maintenance and improvement of state trunk highways and connecting highways under s. 20.395 (3).

SECTION 1820n. 84.25 (11) of the statutes is amended to read:

84.25 **(11)** COMMERCIAL ENTERPRISES. No commercial enterprise, except a vending facility which is licensed by the department of workforce development and operated by blind or visually impaired persons, or a commercial enterprise exempted from this subsection by an agreement under s. 84.01 (30) (g), shall be authorized or conducted within or on property acquired for or designated as a controlled–access highway.

SECTION 1821. 84.30 (2m) of the statutes is created to read:

84.30 **(2m)** CONDITIONAL USES AND SPECIAL EXCEPTIONS NOT CONSIDERED. No uses of real property that are authorized by special zoning permission, including uses by conditional use, special exception, zoning variance or conditional permit, may be considered when determining whether the area is a business area.

SECTION 1822. 84.30 (3) (c) (intro.) of the statutes is amended to read:

84.30 **(3)** (c) (intro.) Signs advertising activities conducted on the property on which they are located if such on–property signs comply with applicable federal law and the June 1961 agreement between the department and the federal highway administrator relative to control of advertising adjacent to interstate highways. ~~Additionally, any such sign located outside the incorporated area of a city or village shall comply with the following criteria~~ No on–property sign may be erected in a location where it constitutes a traffic hazard. If the department issues permits for outdoor advertising signs, the department is not required to issue permits for on–property signs that conform to the requirements of this paragraph. On–property signs may be illuminated, subject to the following restrictions:

SECTION 1823. 84.30 (3) (c) 1. to 3. of the statutes are repealed and recreated to read:

84.30 **(3)** (c) 1. Signs which contain, include or are illuminated by any flashing, intermittent or moving light or lights are prohibited, except electronic signs permitted by rule of the department.

2. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the interstate or federal–aid primary highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle, are prohibited.

3. No sign may be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

SECTION 1824. 84.30 (3) (c) 5. of the statutes is repealed.

SECTION 1824f. 84.30 (10m) of the statutes is created to read:

84.30 **(10m)** ANNUAL PERMIT FEE REQUIREMENT. The department may promulgate a rule requiring persons specified in the rule to pay annual permit fees for signs. If the department establishes an annual permit fee under this subsection, failure to pay the fee within 2 months after the date on which payment is due is evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm. Code.

SECTION 1824fm. 84.31 (8) (b) of the statutes is amended to read:

84.31 **(8)** (b) The department and another state agency may enter into agreements for the purpose of assigning to the other state agency the responsibility for the administration of this section and rules adopted under this section. To the extent responsibility for administration is assigned to the other agency under such agreements, the other state agency shall have the same powers and duties conferred on the department under this section. The department shall reimburse the other state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses, including administrative expenses, incurred by the other state agency in connection with the screening, relocation, removal or disposal of junkyards under the authority assigned to the other state agency, except that no moneys may be reimbursed for the acquisition of land or interests in land contrary to s. 86.255.

SECTION 1825. 84.59 (2) of the statutes is amended to read:

84.59 **(2)** The department may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562, deposit in a separate and distinct fund outside the state treasury, in an account maintained by a trustee, revenues derived under s. 341.25. The revenues deposited are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this section.

SECTION 1826. 84.59 (6) of the statutes is amended to read:

84.59 **(6)** ~~Revenue obligations may be contracted by the~~ The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. ~~Revenue~~ Except as provided in this subsection, the principal amount of revenue obligations issued under this section ~~shall~~ may not exceed ~~$1,348,058,900 in principal amount, excluding obligations issued to refund outstanding revenue obligations. Not more than $1,255,499,900 of the $1,348,058,900 may~~ $1,447,085,500 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 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)~~ (ox) 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~~ The total amount of the grants awarded under this subsection and ss. 85.026 (2) (b) and 85.243 (2) (am) and projects approved under s. 85.245 (1m) for the planning, design or construction of bicycle and pedestrian facilities may not exceed $9,755,000 in the fiscal year in which the grants are awarded or the projects are approved. If the department determines that a grant was awarded under this subsection for a project on which construction will not be completed within a reasonable time after the grant is awarded, the department may withdraw that grant and the amount of the grant withdrawn may not be counted under this subsection.

Vetoed In Part

Vetoed In Part

SECTION 1830gd. 85.026 (2) of the statutes is renumbered 85.026 (2) (a) and amended to read:

Vetoed In Part

85.026 **(2)** (a) ~~The~~ Subject to s. 85.61, the department may administer a program to award grants of assistance to any political subdivision or state agency, as defined in s. 20.001 (1), for transportation enhancement activities consistent with federal regulations promulgated under 23 USC 133 (b) (8). ~~The~~ Except as provided in par. (b), the grants shall be awarded from the appropriations under s. 20.395 (2) (nv) and (nx).

Vetoed In Part

Vetoed In Part

SECTION 1830gc. 85.026 (2) (b) of the statutes is created to read:

Vetoed In Part

85.026 **(2)** (b) Grants awarded under this section for the planning, design and construction of bicycle and pedestrian facilities shall be only awarded from the appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under this paragraph and ss. 85.024 and 85.243 (2) (am) and projects approved under s. 85.245 (1m) for the planning, design or construction of bicycle and pedestrian facilities may not exceed $9,755,000 in the fiscal year in which the grants are

Vetoed In Part

awarded or the projects are approved. If the department determines that a grant was awarded under this paragraph for a project on which construction will not be completed within a reasonable time after the grant is awarded, the department may withdraw that grant and the amount of the grant withdrawn may not be counted under this paragraph.

Vetoed In Part

SECTION 1830gb. 85.026 (3) of the statutes is created to read:

85.026 **(3)** PROCEDURE. The department may not approve a grant under sub. (2) until after enactment of the biennial budget act for the biennium during which the grant will be awarded. The total amount of grants awarded under sub. (2) and paid from the appropriations under s. 20.395 (2) (nv) and (nx) may not exceed the amounts appropriated under s. 20.395 (2) (nv) and (nx) for the purposes of transportation enhancement activities for the biennium during which the grants are awarded. If the department determines that a grant was awarded under sub. (2) for a project on which construction will not be completed within a reasonable time after the grant is awarded, the department may withdraw that grant and the amount of the grant so withdrawn may not be counted under this subsection.

SECTION 1830gm. 85.037 of the statutes is amended to read:

85.037 Certification of fees collected. Annually, no later than October 1, the secretary of transportation shall certify to the secretary of administration the amount of fees collected under ~~s.~~ ss. 101.9208 (1) (dm) and 342.14 (3m) during the previous fiscal year, for the purpose of determining the amounts to be transferred under s. 20.855 (4) (f) during the current fiscal year.

SECTION 1830h. 85.05 of the statutes is amended to read:

85.05 Evaluation of proposed major highway projects. The department by rule shall establish a procedure for numerically evaluating projects considered for enumeration under s. 84.013 (3) as a major highway project. The evaluation procedure may include any criteria that the department considers relevant. The rules shall establish a minimum score that a project shall meet or exceed when evaluated under the procedure established under this section before the department may recommend the project to the transportation projects commission for consideration under s. 13.489 (4).

SECTION 1830j. 85.055 of the statutes is created to read:

85.055 Passenger railroad station improvements. **(1)** In this section, "Local governmental unit" means a city, village, town or county or an agency or subdivision of a city, village, town or county.

(2) The department shall administer a passenger railroad station improvement grant program. From the appropriation under s. 20.395 (2) (ct), the department shall award grants to local governmental units or private entities for the construction or rehabilitation of passenger railroad stations along existing or proposed rail passenger routes. The amount of a grant awarded under this section shall be limited to an amount equal to 33% of the cost of the project or $60,000, whichever is less.

(3) The department may not award a grant under this section to a public entity unless the governing body of the city, town, village or county has adopted a resolution supporting the proposed project.

Vetoed In Part

(4) The department shall promulgate rules to administer the program.

SECTION 1830p. 85.07 (7) of the statutes is renumbered 85.07 (7) (a).

SECTION 1830q. 85.07 (7) (b) of the statutes is created to read:

85.07 **(7)** (b) When evaluating and selecting proposed hazard elimination projects to be funded using federal funds available under 23 USC 152, the department shall consider the reduction in motor vehicle accidents that will result from the proposed projects, except that, if a proposed project will reduce the response time of emergency vehicles, the department shall consider both the reduction in motor vehicle accidents that will result from the proposed project and the public safety benefits that will result from a reduction in the response time of emergency vehicles.

SECTION 1832. 85.12 (3) of the statutes is created to read:

85.12 **(3)** The department may contract with any local governmental unit, as defined in s. 16.97 (7), to provide that local governmental unit with services under this section.

SECTION 1834. 85.20 (1) (g) of the statutes is amended to read:

85.20 **(1)** (g) "Operating expenses" mean costs accruing to an urban mass transit system by virtue of its operations, including costs to subsidize fares paid by disabled persons for transportation within the urban area of the eligible applicant, and, for eligible applicants receiving aid under sub. (4m) (a) 7. or 8., maintenance. "Operating expenses" do not include costs accruing to an urban mass transit system from services provided by a publicly owned urban mass transit system under a contract awarded on the basis of competitive bids unless the urban mass transit system's bid used the fully allocated cost methodology described in sub. (8). 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

Vetoed In Part

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 1834m. 85.20 (1) (h) of the statutes is amended to read:

85.20 **(1)** (h) "Operating revenues" mean income accruing to an urban mass transit system by virtue of its operations, but do not include income accruing from operations under a contract awarded on the basis of competitive bids to a publicly owned urban mass transit system that did not use the fully allocated cost methodology described in sub. (8).

SECTION 1836m. 85.20 (4m) (a) (intro.) of the statutes is amended to read:

85.20 **(4m)** (a) (intro.) ~~An amount shall be allocated~~ The department shall pay annually to the eligible applicant described in subd. 6. cm. the amount of aid specified in subd. 6. cm. The department shall pay annually to the eligible applicant described in subd. 6. d. the amount of aid specified in subd. 6. d. The department shall allocate an amount to each eligible applicant described in subd. 7. or 8. to ensure that the sum of state and federal aids for the ~~projected~~ operating expenses of each eligible applicant's urban mass transit system is equal to a uniform percentage, established by the department, of the ~~projected~~ operating expenses of the mass transit system for the calendar year. For calendar year 1999, the operating expenses used to establish the uniform percentage shall be the projected operating expenses of an urban mass transit system. Subject to sub. (4r), for calendar year 2000 and thereafter the operating expenses used to establish the uniform percentage shall be the operating expenses incurred during the 2nd calendar year preceding the calendar year for which aid is paid under this section. The department shall make allocations as follows:

SECTION 1837. 85.20 (4m) (a) 1., 2., 3., 4. and 5. of the statutes are repealed.

SECTION 1837m. 85.20 (4m) (a) 6. a. of the statutes is amended to read:

85.20 **(4m)** (a) 6. a. From the appropriation under s. 20.395 (1) (hq), the uniform percentage for each eligible applicant in an urban area served by an urban mass transit system with annual operating expenses in excess of $20,000,000. This subd. 6. a. does not apply to aid payable for calendar year 2000 or thereafter.

SECTION 1838. 85.20 (4m) (a) 6. b. of the statutes is amended to read:

85.20 **(4m)** (a) 6. b. For the purpose of making allocations under subd. 6. a., the ~~amounts~~ amount for aids ~~are $60,984,900 in calendar year 1998 and~~ is $63,119,300 in calendar year 1999 ~~and thereafter. These amounts,~~. This amount, to the extent practicable, shall be used to determine the uniform percentage in ~~the particular calendar year~~ 1999. This subd. 6. b. does not apply to aid payable for calendar year 2000 or thereafter.

SECTION 1839mm. 85.20 (4m) (a) 6. cm. of the statutes is created to read:

85.20 **(4m)** (a) 6. cm. Beginning with aid payable for calendar year 2000, from the appropriation under s. 20.395 (1) (ht), the department shall pay $53,555,600 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

SECTION 1839mr. 85.20 (4m) (a) 6. d. of the statutes is created to read:

85.20 **(4m)** (a) 6. d. Beginning with aid payable for calendar year 2000, from the appropriation under s. 20.395 (1) (hu), the department shall pay $14,297,600 to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

SECTION 1841. 85.20 (4m) (a) 7. b. of the statutes is amended to read:

85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the amounts for aids are ~~$17,799,600 in calendar year 1998 and~~ $18,422,500 in calendar year 1999 and $19,804,200 in calendar year 2000 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1844. 85.20 (4m) (a) 8. b. of the statutes is amended to read:

85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the amounts for aids are ~~$4,807,600 in calendar year 1998 and~~ $4,975,900 in calendar year 1999 and $5,349,100 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 1847m. 85.20 (4r) of the statutes is created to read:

85.20 **(4r)** EXPANSION OF SERVICE. An eligible applicant that receives aid under sub. (4m) (a) 7. or 8. shall notify the department if the eligible applicant anticipates receiving new or expanded services provided by an urban mass transit system in a manner that will increase operating expenses. The eligible applicant shall provide the

Vetoed In Part

notice during the calendar year preceding the calendar year in which the new or expanded services will first be provided. The notice shall include an estimate of the projected annual operating expenses of the new or expanded services. The department may modify the projected annual operating expenses to an amount that the department considers reasonable. The department shall adjust the projected annual operating expenses for inflation and, for each calendar year for which actual operating costs of the new or expanded services are not known, shall add the adjusted projected annual operating expenses to the operating expenses used to determine the uniform percentage under sub. (4m) (a) (intro.).

SECTION 1847q. 85.20 (4s) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

85.20 **(4s)** PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed between the department and eligible applicants under this section shall provide that the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the state's fiscal year shall be provided from the following fiscal year's appropriation under s. 20.395 (1) (hq), (hr) ~~or~~, (hs), (ht) or (hu).

SECTION 1848. 85.20 (6) (c) of the statutes is created to read:

85.20 **(6)** (c) Disclose to the department the amount of federal aid over which the eligible applicant has spending discretion and that the eligible applicant intends to apply towards operating expenses for a calendar year. This paragraph applies only to an eligible applicant that receives aid under sub. (4m) (a) 7. or 8.

Vetoed In Part

SECTION 1849d. 85.20 (6m) of the statutes is created to read:

85.20 **(6m)** LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub. (4m), the department may not pay state aid under this section to an eligible applicant unless the eligible applicant does all of the following:

1. Establishes and administers a separate segregated account from which moneys may be used only for purposes related to a mass transit system.

2. Deposits in the account established under subd. 1. all of the following:

Vetoed In Part

a. All moneys received from this state and from the federal government for a mass transit system.

b. All local moneys required by this state, or by the federal government, to match moneys described under subd. 2. a. as a condition of receiving or expending those state or federal moneys.

Vetoed In Part

c. All local moneys allocated for a mass transit system by the eligible applicant.

d. All moneys received from a local revenue source that is dedicated to a mass transit system.

(b) If an eligible applicant does not meet the requirements under par. (a) at the time that aid should be paid under this section, the department shall withhold the aid payment until the eligible applicant meets the requirements under par. (a). When the eligible applicant meets the requirements under par. (a), the department shall pay the aid withheld under this paragraph, without interest, except that, if the eligible applicant fails to meet the requirements under par. (a) within 180 days after the time that the aid should be paid, that aid is forfeited and may not be paid to that eligible applicant. Aid that is forfeited under this paragraph shall be counted under this section as if the aid had been paid.

Vetoed In Part

Vetoed In Part

(c) The department, in consultation with the representatives appointed under s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The department may not require any eligible applicant to do any of the following:

Vetoed In Part

Vetoed In Part

1. Pay expenses related to law enforcement using moneys from an account established under this subsection.

2. Maintain separate checking accounts to implement this subsection, if the eligible applicant implements this subsection by segregating revenues and expenditures described in this subsection in the eligible applicant's bookkeeping system.

SECTION 1849g. 85.20 (7) (c) of the statutes is created to read:

85.20 **(7)** (c) Beginning with contracts for aid payable for calendar year 2000, the department may not enter into a contract for payment of state aids under sub. (4m) unless the rules promulgated under this subsection are in effect and unless the contract requires the urban mass transit system to comply with those rules as a condition of receiving aid under sub. (4m).

SECTION 1849gn. 85.20 (8) of the statutes is created to read:

85.20 **(8)** FULLY ALLOCATED COST BIDDING. If a local public body solicits bids to contract for services, the bids of a publicly owned urban mass transit system shall use a fully allocated cost methodology established by the department by rule. The fully allocated cost methodology shall do all of the following:

(a) Be based on generally accepted accounting principles.

(b) Consider all shared costs and direct costs of the mass transit system that are related to and support the service being considered. A publicly owned urban mass transit system's costs include all subsidies provided to the system, including operating subsidies, capital grants and the use of public facilities.

(c) Assign each cost of a publicly owned urban mass transit system to one of the following categories:

1. Costs that depend on the number of vehicle hours operated, including operators' salaries and fringe benefits.

2. Costs that depend on the number of vehicle miles traveled, including fuel costs, maintenance costs and maintenance personnel salaries and fringe benefits.

3. Costs that depend on the maximum number of vehicles that are in service during the day, including administrative and capital costs.

SECTION 1849gm. 85.205 of the statutes is created to read:

85.205 Prohibited expenditures for light rail. Notwithstanding ss. 85.022, 85.062 and 85.063, the department may not encumber or expend any federal funds received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or state funds for any purpose related to a light rail mass transit system. This section does not apply to any light rail mass transit system that is being constructed on the effective date of this section .... [revisor inserts date]. This section does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was executed by the governor, the secretary of transportation, the secretary of natural resources, the county executive of Dane County, the administrative coordinator of Sauk County, and others, and that became effective on April 22, 1999. This section does not apply after June 30, 2001.

SECTION 1850. 85.22 (2) (am) (intro.) of the statutes is amended to read:

85.22 **(2)** (am) (intro.) "Eligible applicant" means any applicant that meets eligibility requirements for federal assistance under 49 USC ~~1612 (b) (2)~~ 5310 (a) 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.

Vetoed In Part

SECTION 1852f. 85.243 (2) (a) of the statutes is amended to read:

85.243 **(2)** (a) ~~The~~ Subject to par. (ar), the department shall administer a surface transportation discretionary grants program to promote the development and implementation of surface transportation projects that foster the diverse transportation needs of the people of this state. Annually, the department may make grants to eligible applicants for surface transportation projects that promote nonhighway use or that otherwise supplement existing transportation activities. A grant may not exceed 80% of the total cost of a project. The department shall give priority to funding projects that foster alternatives to single–occupancy automobile trips. In deciding whether to award a grant under this section, the department may consider whether other funding sources are available for the proposed project.

Vetoed In Part

SECTION 1852g. 85.243 (2) (am) of the statutes is created to read:

85.243 **(2)** (am) Grants awarded under this section for the planning, design or construction of bicycle and pedestrian facilities shall be only awarded from the appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under this paragraph and ss. 85.024 and 85.026 (2) (b) and projects approved under s. 85.245 (1m) for the planning, design or construction of bicycle and pedestrian facilities may not exceed $9,755,000 in the fiscal year in which the grants are awarded or the projects are approved. If the department determines that a grant was awarded under this paragraph for a project on which construction will not be completed within a reasonable time after the grant is awarded, the department may withdraw that grant and the amount of the grant withdrawn may not be counted under this paragraph.

Vetoed In Part

SECTION 1852gd. 85.243 (2) (ar) of the statutes is created to read:

85.243 **(2)** (ar) The department may not approve a grant under par. (a) until after enactment of the biennial budget act for the biennium during which the grant will be awarded. The total amount of grants awarded under par. (a) and paid from the appropriations under s. 20.395 (2) (jq), (jv) and (jx) may not exceed the amounts appropriated under s. 20.395 (2) (jq), (jv) and (jx) for the biennium during which the grants are awarded. If the department determines that a grant was awarded under par. (a) for a project on which construction will not be completed within a reasonable time after the grant is awarded, the department may withdraw that grant and the amount of the grant so withdrawn may not be counted under this paragraph.

Vetoed In Part

SECTION 1852j. 85.245 (1) of the statutes is amended to read:

85.245 **(1)** The department may administer a program for the distribution of federal funds for congestion mitigation and air quality improvement projects made available to the state under 23 USC 149. ~~The~~ Except as provided in sub. (1m), the cost of any project shall be funded from the appropriations under s. 20.395 (2) (kv) and (kx).

SECTION 1852k. 85.245 (1m) of the statutes is created to read:

85.245 **(1m)** The cost of any project funded under this section for the planning, design or construction of a bicycle and pedestrian facility shall be only funded from the appropriation under s. 20.395 (2) (ox). The total amount of any project approved under this subsection

Vetoed In Part

and the amount of grants awarded under ss. 85.024, 85.026 (2) (b) and 85.243 (2) (am) for the planning, design or construction of bicycle and pedestrian facilities may not exceed $9,755,000 in the fiscal year in which the projects are approved or the grants are awarded. If the department determines that a project was approved under this subsection on which construction will not be completed within a reasonable time after the project is approved, the department may withdraw its approval of that project and the cost of the project for which approval was withdrawn may not be counted under this subsection.

SECTION 1852m. 85.32 of the statutes is created to read:

85.32 Statewide trauma care system transfer. Beginning July 1, 2000, and annually thereafter, the secretary shall transfer $80,000 from the appropriation under s. 20.395 (5) (dq) to the appropriation under s. 20.435 (1) (kx) for the purposes of the statewide trauma care system under s. 146.56.

SECTION 1853. 85.50 of the statutes is repealed.

SECTION 1854. 85.515 of the statutes, as created by 1997 Wisconsin Act 84, is amended to read:

85.515 Implementation of 1997 Wisconsin Act 84. If the secretary determines that the changes to the department's computerized information systems made necessary by 1997 Wisconsin Act 84 will be operational before May 1, ~~2000~~ 2001, the secretary shall publish a notice in the Wisconsin Administrative Register that states the date on which the changes to the department's computerized information system will begin operating, and that ~~the~~ clearly states which portion of revisions to the operator's license suspension and revocation law made by 1997 Wisconsin Act 84 will become effective on that date.

Vetoed In Part

SECTION 1854m. 85.52 (3) (a) of the statutes is amended to read:

85.52 **(3)** (a) ~~The~~ Subject to s. 85.61, the department shall administer a transportation infrastructure loan program to make loans, and to provide other assistance, to eligible applicants for highway projects or transit capital projects. The department of transportation may not make a loan or provide other assistance under the program unless the secretary of administration approves of the loan or other assistance and determines that the amounts in the fund, together with anticipated receipts, will be sufficient to fully pay principal and interest costs incurred on the revenue obligations issued under sub. (5). Loans or other assistance under the program for highway projects shall be credited to the highway account. Loans or other assistance under the program for transit capital projects shall be credited to the transit account.

SECTION 1855. 85.52 (5) (c) of the statutes is amended to read:

85.52 **(5)** (c) The department of administration may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562, deposit in a separate and distinct fund in the state treasury or in an account maintained by a trustee outside the state treasury, any portion of the revenues derived under s. 25.405 (2). The revenues deposited with a trustee outside the state treasury are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the repayment of revenue obligations issued under this subsection.

SECTION 1855g. 85.53 (3) of the statutes is amended to read:

85.53 **(3)** Grants under this section shall be paid from the appropriation under s. 20.395 (5) (jr) The amount of a grant may not exceed 80% of the amount expended by an eligible applicant for services related to the program. ~~The total amount of grants awarded under this section may not exceed $500,000.~~

Vetoed In Part

SECTION 1855L. 85.61 of the statutes is created to read:

85.61 Programs to assist brownfields redevelopment. The department shall promote the following programs in a manner that ensures that the programs assist the restoration of the environment and the redevelopment of brownfields, as defined in s. 560.60 (1v), to the greatest extent possible:

(1) Activities funded from the appropriation under s. 20.395 (2) (fv) or (fx).

(2) Transportation facilities economic assistance and development under s. 84.185.

(3) The transportation enhancement activities program under s. 85.026, if the department administers such a program.

(4) The transportation infrastructure loan program under s. 85.52.

SECTION 1855p. 86.19 (1) of the statutes is amended to read:

86.19 **(1)** Except as provided in sub. (1m) or s. 84.01 (30) (g), no sign shall be placed within the limits of any street or highway except such as are necessary for the guidance or warning of traffic or as provided by ss. 60.23 (17m) and 66.046. The authorities charged with the maintenance of streets or highways shall cause the removal therefrom and the disposal of all other signs.

SECTION 1855r. 86.19 (1r) of the statutes is created to read:

86.19 **(1r)** The department shall maintain the directional sign existing on the effective date of this subsection .... [revisor inserts date], that is located along I 43 for America's Black Holocaust Museum in Milwaukee County. The department may not charge any fee related to the sign maintained under this subsection.

SECTION 1855rm. 86.195 (2) (ag) 16m. of the statutes is created to read:

86.195 **(2)** (ag) 16m. STH 172 from I 43 southeast of Green Bay to USH 41 at Ashwaubenon.

SECTION 1855rn. 86.255 of the statutes is created to read:

86.255 Limitation on moneys used to purchase land remote from highway project. (1) Notwithstanding ss. 84.09 and 86.25, beginning with purchase contracts executed on the effective date of this subsection .... [revisor inserts date], and with relocation orders initially filed under ch. 32 on the effective date of this subsection .... [revisor inserts date], the department may not encumber or expend any moneys from the appropriations under s. 20.395 (3) for purposes related to the purchase of land, easements, or development rights in land, unless the land or interest in land is purchased in association with a highway improvement project and the land or interest in land is located within one–quarter mile of the centerline or proposed centerline of the highway.

Vetoed In Part

Vetoed In Part

(2) Subsection (1) does not apply to any of the following:

(a) The purchase of any land that is acquired as compensatory mitigation for another wetland, as defined in s. 23.32 (1), that will suffer an adverse impact by degradation or destruction as part of a highway project.

(b) The purchase of any land, easements, or development rights in land, under an agreement executed in the name of the department before the effective date of this paragraph .... [revisor inserts date], or under a relocation order filed under ch. 32 before the effective date of this paragraph .... [revisor inserts date].

SECTION 1856. 86.30 (2) (a) 1. of the statutes is amended to read:

86.30 **(2)** (a) 1. Except as provided in pars. (b), (d) and (dm), sub. (10) and s. 86.303, the amount of transportation aids payable by the department to each county shall be the aids amount calculated under subd. 2. and to each municipality shall be the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts calculated for a municipality under subd. 2. or 3. are the same, transportation aids to that municipality shall be paid under subd. 2.

SECTION 1857. 86.30 (2) (a) 3. f. of the statutes is repealed.

SECTION 1858. 86.30 (2) (a) 3. g. of the statutes is amended to read:

86.30 **(2)** (a) 3. g. In calendar ~~year~~ years 1998 and ~~thereafter~~ 1999, $1,596.

SECTION 1859. 86.30 (2) (a) 3. h. of the statutes is created to read:

86.30 **(2)** (a) 3. h. In calendar year 2000 and thereafter, $1,704.

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 $84,059,500 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 $264,461,500 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 1863m. 86.30 (10) of the statutes is created to read:

86.30 **(10)** AID PAYMENTS FOR CALENDAR YEAR 2001. (a) 1. For calendar year 2001, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to counties for calendar year 2001 and the amount of moneys appropriated for distribution under this section to counties for calendar year 2000.

2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i), the amount of aid payable to each county in calendar year 2001 shall be the amount paid to that county for calendar year 2000, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the county for calendar year 2000.

(b) 1. For calendar year 2001, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to municipalities for calendar year 2001 and the amount of moneys appropriated for distribution under this section to municipalities for calendar year 2000.

2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i), the amount of aid payable to each municipality in calendar year 2001 shall be the amount paid to that municipality for calendar year 2000, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the municipality for calendar year 2000.

SECTION 1863md. 86.30 (11) of the statutes is created to read:

86.30 **(11)** LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub. (2), the department may not pay state aid under this section to a municipality or county unless the municipality or county does all of the following:

1. Establishes and administers a separate segregated account from which moneys may be used only for purposes related to local highways.

2. Deposits in the account established under subd. 1. all of the following:

Vetoed In Part

a. All moneys received from this state and from the federal government for local highway purposes.

Vetoed In Part

b. All local moneys required by this state, or by the federal government, to match moneys described under subd. 2. a. as a condition of receiving or expending those state or federal moneys.

c. All local moneys allocated for local highway purposes by the local governing body.

d. All moneys received from a local revenue source that is dedicated to local highways.

(b) If a municipality or county does not meet the requirements under par. (a) at the time that aid should be paid under this section, the department shall withhold the aid payment until the municipality or county meets the requirements under par. (a). When the municipality or county meets the requirements under par. (a), the department shall pay the aid withheld under this paragraph, without interest, except that, if the municipality or county fails to meet the requirements under par. (a) within 180 days after the time that the aid should be paid, that aid is forfeited and may not be paid to that municipality or county. Aid that is forfeited under this paragraph shall be counted under sub. (2) as if the aid had been paid.

Vetoed In Part

Vetoed In Part

Vetoed In Part

(c) The department, in consultation with the representatives appointed under s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The department may not require any eligible applicant to do any of the following:

Vetoed In Part

Vetoed In Part

1. Pay expenses related to law enforcement using moneys from an account established under this subsection.

2. Maintain separate checking accounts to implement this subsection, if the eligible applicant implements this subsection by segregating revenues and expenditures described in this subsection in the eligible applicant's bookkeeping system.

SECTION 1864. 86.302 (title) of the statutes is repealed and recreated to read:

86.302 (title) **Local roads; inventory.**

SECTION 1865. 86.302 (1) of the statutes is renumbered 86.302 (1g) and amended to read:

86.302 **(1g)** Except as provided in sub. (1m), beginning on January 1, 2001, the board of every town, village and county, and the governing body of every city, shall file with the department ~~and with the county clerk~~ not later than December 15 of every ~~odd–numbered~~ year, a certified plat of ~~such town, village, city~~ the municipality or county showing the ~~roads and streets~~ highways under ~~their~~ its jurisdiction and the mileage thereof to be open and used for travel as of the succeeding January 1~~, which may be used by the~~. The department may use the plats in making computations of transportation aids. One–half of the mileage of ~~roads or streets~~ highways on boundary lines shall be considered as lying in each ~~town, village, city~~ municipality or county.

SECTION 1866. 86.302 (1d) of the statutes is created to read:

86.302 **(1d)** (a) "Highway" has the meaning given in s. 340.01 (22).

(b) "Municipality" means a city, village or town.

SECTION 1867. 86.302 (1m) (a) of the statutes is renumbered 86.302 (1m) (a) 1. and amended to read:

86.302 **(1m)** (a) 1. ~~The board of a town, village or county and the governing body of a city need not file a certified plat under sub. (1) if the town, village,~~ In lieu of filing a certified plat under sub. (1g), if a municipality or county ~~or city~~ has not added or deleted jurisdictional mileage since filing its last preceding certified plat under sub. ~~(1)~~ (1g), its board or governing body may file a certified statement to that effect with the department.

SECTION 1868. 86.302 (1m) (a) 2. of the statutes is created to read:

86.302 **(1m)** (a) 2. Notwithstanding subd. 1., the department may require every municipality and county to file a certified plat under sub. (1g) with the department in the year after the year in which a federal decennial census is conducted.

SECTION 1869. 86.302 (1m) (b) of the statutes is amended to read:

86.302 **(1m)** (b) Upon incorporation of a village or city, the board of the village and the governing body of the city shall file with the department ~~and with the county clerk~~ a certified plat of the village or city showing the ~~roads and streets~~ highways under its jurisdiction and the mileage thereof to be open and used for travel as of the date of incorporation, which may be used by the department in making computations of transportation aids. One–half of the mileage of ~~roads or streets~~ highways on boundary lines shall be considered as lying in the village or city.

SECTION 1870. 86.302 (2) of the statutes is amended to read:

86.302 **(2)** 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 under this subsection. ~~The department shall inventory and verify all road mileage in a county or municipality once every 10 years~~ 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~~ 2nd year following the ~~odd–numbered~~ year in which the certified plat is filed. The department shall consider the following factors ~~shall be considered by the department~~:

(a) New ~~roads~~ highways.

(b) Abandoned ~~roads~~ highways.

(c) Changes in jurisdictional mileage responsibilities for existing ~~roads~~ highways.

SECTION 1872. 86.303 (4) (b) of the statutes is amended to read:

86.303 **(4)** (b) In the case of municipalities formed within the previous 6 years, the information needed for the determinations under this section shall be calculated as follows: for those years for which the necessary data does not exist, the data for the new municipality and the municipality from which it was formed shall be combined and the sum shall be apportioned to each municipality in proportion to the total mileage of ~~roads and streets~~ highways under their respective jurisdictions. In making these calculations, the department shall use the certified plats filed under s. 86.302 ~~(1)~~ (1g).

SECTION 1873. 86.303 (6) (c) (intro.) of the statutes is amended to read:

86.303 **(6)** (c) (intro.) The following other costs to the extent ~~to which~~ they are highway related are reportable:

SECTION 1874. 86.303 (6) (c) 4. of the statutes is amended to read:

86.303 **(6)** (c) 4. ~~Traffic police and street~~ Street lighting costs.

SECTION 1875. 86.303 (6) (cm) of the statutes is created to read:

86.303 **(6)** (cm) Some portion of law enforcement costs determined by the department, in consultation with the representatives appointed under sub. (5) (am), may be reported as eligible cost items. The department may establish different portions under this paragraph for different classes of counties or municipalities.

SECTION 1875cb. 86.31 (1) (am) of the statutes is amended to read:

86.31 **(1)** (am) "County highway improvement program district committee" means a committee established by the department by rule under sub. (6) (f) consisting of ~~not more than 5 county executives or county board chairpersons in counties that do not have county executives, or their designees,~~ all of the county highway commissioners from counties within a county highway improvement program district.

SECTION 1875cd. 86.31 (1) (f) of the statutes is created to read:

86.31 **(1)** (f) "Street" has the meaning given in s. 340.01 (64).

SECTION 1875ce. 86.31 (2) (a) of the statutes is amended to read:

86.31 **(2)** (a) The department shall administer a local roads improvement program to accelerate the improvement of seriously deteriorating local roads by reimbursing political subdivisions for improvements. The selection of improvements that may be funded under the program shall be performed by officials of each political subdivision, consistent with the requirements of subs. (3), (3g) ~~and~~, (3m) and (3r). The department shall notify each county highway commissioner of any deadline that affects eligibility for reimbursement under the program no later than 15 days before such deadline.

SECTION 1875cg. 86.31 (2) (b) of the statutes is amended to read:

86.31 **(2)** (b) Except as provided in par. (d), improvements for highway construction projects funded under the program shall be under contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder. If a city~~, village or town~~ or village does not receive a responsible bid for an improvement, the city~~, village or town~~ or village may contract with a county for the improvement. A town may contract with a county for the improvement subject to the criteria and procedures promulgated as rules under sub. (6) (h).

SECTION 1875dc. 86.31 (2) (d) 1. of the statutes is repealed.

SECTION 1875dd. 86.31 (2) (d) 1m. of the statutes is created to read:

86.31 **(2)** (d) 1m. The county highway department demonstrates that it is cost–effective for it to perform the work and that competitive bidding is to be used for improvements with an estimated total cost at least equal to the total funds allocated for its county trunk highway improvements under the program during the current biennium.

SECTION 1875de. 86.31 (2) (d) 2. of the statutes is repealed.

SECTION 1875df. 86.31 (2) (d) 3. of the statutes is repealed.

SECTION 1875dg. 86.31 (2) (d) 5. of the statutes is renumbered 86.31 (2) (d) 5. (intro.) and amended to read:

86.31 **(2)** (d) 5. (intro.) Each county highway improvement program district committee shall ~~be responsible for ensuring compliance with this paragraph.~~ do all of the following with respect to any work to be performed by any county highway department within the county highway improvement program district:

SECTION 1875dh. 86.31 (2) (d) 5. a. and b. of the statutes are created to read:

86.31 **(2)** (d) 5. a. Review the proposed work and determine that it is cost–effective for the county highway department to perform the work.

b. Approve the proposed work prior to its being performed by the county highway department.

SECTION 1875di. 86.31 (3) (b) (intro.) of the statutes is amended to read:

86.31 **(3)** (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first deducting the funds allocated under subs. (3g) ~~and~~, (3m) and (3r), the department shall allocate funds for entitlement as follows:

SECTION 1875f. 86.31 (3m) of the statutes is amended to read:

86.31 **(3m)** TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395 (2) (fr), the department shall allocate $2,000,000 in fiscal year 1999–2000 and $500,000 in each following fiscal year to fund town road improvements with eligible costs totaling $100,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

SECTION 1875fd. 86.31 (3r) of the statutes is created to read:

86.31 **(3r)** MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s. 20.395 (2) (fr), the department shall allocate $1,250,000 in fiscal year 1999–2000, and $750,000 in each fiscal year thereafter, to fund municipal street improvement projects having total estimated costs of $250,000 or more. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

SECTION 1875gc. 86.31 (6) (d) of the statutes is amended to read:

86.31 **(6)** (d) Procedures for reimbursements for county trunk highway improvements under sub. (3g) ~~and~~, for town road improvements under sub. (3m) and for municipal street improvements under sub. (3r).

SECTION 1875gd. 86.31 (6) (g) of the statutes is created to read:

86.31 **(6)** (g) Specific criteria for making determinations of cost–effectiveness under sub. (2) (d) 5. a. and procedures for review by the department of disputes relating to whether proposed work to be performed by a county highway department is cost–effective for purposes of sub. (2) (d) 5. a.

SECTION 1875ge. 86.31 (6) (h) of the statutes is created to read:

86.31 **(6)** (h) Criteria and procedures for contracting with a county for a town road improvement that includes at least all of the following:

1. A requirement that a written and sealed estimate of the cost of the improvement that includes the source of the estimate be prepared prior to the time set for the opening of bids for the improvement and not be opened until after the opening of all bids.

2. A requirement that all bids may be rejected and the contract awarded to a county for the improvement if the lowest bid exceeds the cost estimate under subd. 1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid was received, the bidder to provide information on the accuracy of the cost estimate under subd. 1.

3. A requirement that the amount of the contract with a county for the improvement be at least 10% below the lowest bid received for the improvement.

4. A provision that permits rebidding if the amount of the proposed contract with a county for the improvement is less than 10% below the lowest bid received for the improvement.

SECTION 1876e. 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 (2) or (3) (a), the department may not proceed under this subsection, or otherwise review the amendment, to determine whether the ordinance, as amended, is insufficient.

SECTION 1876m. 88.01 (8m) of the statutes is created to read:

88.01 **(8m)** "Duck Creek Drainage District" has the meaning given in s. 30.01 (1nm).

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.

(3) The department of agriculture, trade and consumer protection may not make grants under this section after June 30, 2006.

SECTION 1877d. 88.31 (7m) of the statutes is created to read:

88.31 **(7m)** The Duck Creek Drainage District is exempt from the permit requirements and procedures under subs. (1) to (7).

SECTION 1877e. 88.31 (8) (intro.) of the statutes is amended to read:

88.31 **(8)** (intro.) Subject to other restrictions imposed by this chapter, a drainage board which has obtained ~~a permit under this chapter~~ all of the permits as required under this chapter and ch. 30 may:

SECTION 1877f. 88.35 (5m) of the statutes is amended to read:

88.35 **(5m)** If navigable waters are affected by the proposed drainage, the drainage board shall obtain a permit under s. 88.31. This subsection does not apply to the Duck Creek Drainage District.

SECTION 1877j. 88.62 (3) of the statutes is renumbered 88.62 (3) (a) and amended to read:

88.62 **(3)** (a) If drainage work is undertaken in navigable waters, the drainage board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the department of natural resources, except as provided in par. (b).

SECTION 1877k. 88.62 (3) (b) of the statutes is created to read:

88.62 **(3)** (b) If drainage work is undertaken in navigable waters located in the Duck Creek Drainage District, the board for that district shall obtain a permit under s. 30.20 or ch. 31, as directed by the department of natural resources.

SECTION 1877m. 88.72 (3) of the statutes is amended to read:

88.72 **(3)** At the hearing on the petition, any interested person may appear and contest its sufficiency and the necessity for the work. If the drainage board finds that the petition has the proper number of signers and that to afford an adequate outlet it is necessary to remove dams or other obstructions from waters and streams which may be navigable, or to straighten, clean out, deepen or widen any waters or streams either within or beyond the limits of the district, the board shall ~~file an application with the department of natural resources as provided in s. 30.20 or 88.31, as directed by the department of natural resources. Thereafter, proceedings shall be had as provided in s. 30.20 or 88.31 insofar as the same is applicable~~ obtain any permit that is required under this chapter or ch. 30 or 31.

SECTION 1877p. 88.72 (4) of the statutes is amended to read:

88.72 **(4)** Within 30 days after the department of natural resources has issued ~~a permit under s. 30.20 or 88.31~~ all of the permits as required under this chapter and chs. 30 and 31, the board shall proceed to estimate the cost of the work, including the expenses of the proceeding together with the damages that will result from the work, and shall, within a reasonable time, award damages to all lands damaged by the work and assess the cost of the work against the lands in the district in proportion to the assessment of benefits then in force.

SECTION 1903. 91.75 (1) of the statutes is repealed and recreated to read:

91.75 **(1)** A minimum lot size is specified.

SECTION 1909m. 92.05 (3) (L) of the statutes is created to read:

92.05 **(3)** (L) *Technical assistance; performance standards.* The department shall provide technical assistance to county land conservation committees and local units of government for the development of ordinances that implement standards adopted under s. 92.07 (2), 92.105 (1), 92.15 (2) or (3) or 281.16 (3). The department's technical assistance shall include preparing model ordinances, providing data concerning the standards and reviewing draft ordinances to determine whether the draft ordinances comply with applicable statutes and rules.

SECTION 1909p. 92.07 (2) of the statutes is amended to read:

92.07 **(2)** STANDARDS. Each land conservation committee may develop and adopt standards and specifications for management practices to control erosion, sedimentation and nonpoint source water pollution. The standards and specifications for agricultural facilities and practices that are constructed or begun on or after October 14, 1997, and, if cost–sharing is available to the owner or operator under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source, for agricultural facilities and practices that are constructed or begun before that date shall be consistent with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3). The land conservation committee shall use the rules promulgated under s. 281.16 (3) (e) to determine whether cost–sharing is available.

SECTION 1909w. 92.08 of the statutes is repealed.

SECTION 1910e. 92.10 (3) of the statutes is repealed.

SECTION 1910h. 92.10 (4) (c) of the statutes is amended to read:

92.10 **(4)** (c) *Plan assistance.* The department shall assist land conservation committees in preparing land and water resource management plans. ~~The department may allocate funds appropriated under s. 20.115 (7) (c) to land conservation committees in identified priority counties to cover up to 50% of the cost of preparing land and water resource management plans.~~

SECTION 1913b. 92.10 (6) (a) of the statutes is repealed and recreated to read:

92.10 **(6)** (a) *Plan preparation.* A land conservation committee shall prepare a land and water resource management plan that, at a minimum, does all of the following:

1. Includes an assessment of water quality and soil erosion conditions throughout the county, including any assessment available from the department of natural resources.

2. Specifies water quality objectives for each water basin, priority watershed, as defined in s. 281.65 (2) (c), and priority lake, as defined in s. 281.65 (2) (be).

3. Identifies the best management practices to achieve the objectives under subd. 2. and to achieve the tolerable erosion level under s. 92.04 (2) (i).

4. Identifies applicable performance standards and prohibitions related to the control of pollution from nonpoint sources, as defined in s. 281.65 (2) (b), and to soil erosion control, including those under this chapter and chs. 281 and 283 and ss. 59.692 and 59.693.

5. Includes a multiyear description of planned county activities, and priorities for those activities, related to land and water resources, including those designed to meet the objectives specified under subd. 2. and to ensure compliance with the standards and prohibitions identified under subd. 4.

6. Describes a system to monitor the progress of activities described in the plan.

7. Includes a strategy to provide information and education related to soil and water resource management.

8. Describes methods for coordinating activities described in the plan with programs of other local, state and federal agencies.

SECTION 1913m. 92.10 (8) of the statutes is created to read:

92.10 **(8)** DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES. The department of natural resources shall provide counties with assistance in land and water resource management planning, including providing available water quality data and information, providing training and support for water resource assessments and appraisals and providing related program information.

SECTION 1915b. 92.105 (1) of the statutes is amended to read:

92.105 **(1)** ESTABLISHMENT. A land conservation committee shall establish soil and water conservation standards. The standards ~~and specifications~~ for agricultural facilities and practices that are constructed or begun on or after October 14, 1997, and, if cost–sharing is available to the farmer under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source, for agricultural facilities and practices that are constructed or begun before that date shall be consistent with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3). It shall submit these standards to the board for review.

SECTION 1922w. 92.14 (2) (c) of the statutes is amended to read:

92.14 **(2)** (c) Providing statewide financial and technical assistance for land and water conservation activities at the county level.

SECTION 1922y. 92.14 (2) (j) of the statutes is amended to read:

92.14 **(2)** (j) Enhancing the administration and coordination of state nonpoint source water pollution abatement activities by the department and the department of natural resources, including providing a single process for grant application, funding allocation, reporting and evaluation.

SECTION 1923w. 92.14 (3) (intro.) of the statutes is amended to read:

92.14 **(3)** BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties ~~meet administrative and technical operating costs in~~ fund their land and water conservation activities, the department shall award ~~grants~~ an annual grant from the appropriation under s. 20.115 (7) (c) or (qd) or s. 20.866 (2) (we) to any county land conservation committee ~~which~~ that has a ~~workload allocation~~ land and water resource management plan approved by the department under s. ~~92.08 (2)~~ 92.10 (4) (d), and ~~which~~ that, by county board action, has resolved to ~~match any moneys granted under this subsection with an equal amount of county moneys~~ provide any matching funds required under sub. (5g). The county ~~shall~~ may use the grant for ~~county~~ land and water resource management planning and for any of the following purposes, consistent with the approved land and water resource management plan:

(a) County land conservation personnel to administer and implement activities directly related to any of the following:

SECTION 1924b. 92.14 (3) (a) and (b) of the statutes are renumbered 92.14 (3) (a) 1. and 2.

SECTION 1924c. 92.14 (3) (c) of the statutes is repealed.

SECTION 1924d. 92.14 (3) (d) and (e) of the statutes are renumbered 92.14 (3) (a) 4. and 5.

SECTION 1924f. 92.14 (3) (f) of the statutes is created to read:

92.14 **(3)** (f) Training required under s. 92.18 or any other training necessary to prepare personnel to perform job duties related to this section or s. 281.65.

SECTION 1924h. 92.14 (3) (g) of the statutes is created to read:

92.14 **(3)** (g) Technical assistance, education and training, ordinance development or administration related to this chapter or s. 281.65.

SECTION 1924m. 92.14 (3m) (title) of the statutes is repealed.

SECTION 1924n. 92.14 (3m) of the statutes is renumbered 92.14 (3) (b), and 92.14 (3) (b) (intro.), as renumbered, is amended to read:

92.14 **(3)** (b) (intro.) ~~From the appropriation under s. 20.115 (7) (c) or (qd) or 20.866 (2) (we), the department shall award grants to counties or~~ Grants to farmers for implementing best management practices required under a shoreland management ordinance enacted under s. 92.17, including reimbursement for all of the following:

SECTION 1924q. 92.14 (4) (intro.) of the statutes is repealed.

SECTION 1924s. 92.14 (4) (a) of the statutes is renumbered 92.14 (3) (c).

SECTION 1925b. 92.14 (4) (b) of the statutes is renumbered 92.14 (3) (d).

SECTION 1925e. 92.14 (4) (c) of the statutes is renumbered 92.14 (3) (e) and amended to read:

92.14 **(3)** (e) Construction of a facility or system related to animal waste management by a farmer who has received a notice of discharge under ch. 283 or management practices required under a notice to a farmer under s. 281.20 (3). ~~In awarding grants under this paragraph, the department shall give preference to farmers who have received a notice of discharge under s. 281.20 (3) or ch.~~

~~283.~~ The amount of a grant for management practices required under a notice to a farmer under s. 281.20 (3) shall be based on the cost of the method of controlling nonpoint source pollution ~~which~~ that the department determines to be the most cost–effective ~~and may not exceed 70% of the total cost of that method. The department may issue grants directly to farmers under this paragraph~~.

SECTION 1925g. 92.14 (4m) of the statutes is repealed.

SECTION 1925i. 92.14 (4r) of the statutes is repealed.

SECTION 1925k. 92.14 (5) of the statutes is repealed.

SECTION 1925m. 92.14 (5g) of the statutes is created to read:

92.14 **(5g)** MATCHING FUNDS. If a grant under sub. (3) provides funding for salary and fringe benefits for more than one county staff person, a county shall provide matching funds equal to 30% of the cost of salary and fringe benefits for the 2nd staff person and 50% of the cost of salary and fringe benefits for any additional staff persons for whom the grant provides funding.

SECTION 1925p. 92.14 (5r) of the statutes is created to read:

92.14 **(5r)** ANNUAL GRANT REQUEST. Every land conservation committee shall prepare annually a grant request that describes the land and water resource staffing needs and activities to be undertaken or funded by the county under this chapter and ss. 281.65 and 281.66 and the funding needed for those purposes. The grant request shall be consistent with the county's plan under s. 92.10. The land conservation committee shall submit the grant request to the department.

SECTION 1925r. 92.14 (6) (a) of the statutes is repealed.

SECTION 1925t. 92.14 (6) (b) of the statutes is amended to read:

92.14 **(6)** (b) The department~~, in cooperation with~~ and the department of natural resources~~,~~ shall prepare an annual grant allocation plan~~, that is consistent with the spending levels approved under par. (a),~~ identifying the amounts to be ~~spent annually for land and water resource management projects to be funded~~ provided to counties under this section and ~~the general purposes of those projects, which it shall specify~~ ss. 281.65 and 281.66. In the allocation plan, the departments shall attempt to provide funding under this section for an average of 3 staff persons per county with full funding for the first staff person, 70% funding for the 2nd staff person and 50% funding for any additional staff persons and to provide an average of $100,000 per county for cost–sharing grants. The department shall submit that plan to the board.

SECTION 1926b. 92.14 (6) (c) of the statutes is repealed.

SECTION 1926c. 92.14 (6) (d) of the statutes is amended to read:

92.14 **(6)** (d) The board shall review the annual allocation plan submitted to it under par. (b) and make recommendations to the department of agriculture, trade and consumer protection and the department of natural resources on approval, modification or disapproval of the plan. ~~The department shall review and approve or disapprove the plan and shall notify the board of the department's final action on the plan.~~

SECTION 1926e. 92.14 (6) (e) of the statutes is repealed.

SECTION 1926f. 92.14 (6) (f) of the statutes is repealed.

SECTION 1926g. 92.14 (6) (g) of the statutes is amended to read:

92.14 **(6)** (g) Every ~~project~~ grant awarded ~~a grant~~ to a county under this section and s. 281.65 shall be consistent with the plans under s. 92.15, 1985 stats., and under this section and ss. ~~92.08,~~ 92.10 and 281.65.

SECTION 1926i. 92.14 (6) (gm) of the statutes is created to read:

92.14 **(6)** (gm) A county may not provide cost–sharing funds using funds provided under this section in an amount that exceeds 70% of the cost of a project, except in cases of economic hardship, as defined by the department by rule.

SECTION 1926j. 92.14 (6) (h) 1. (intro.) of the statutes is amended to read:

92.14 **(6)** (h) 1. (intro.) ~~The department~~ A county may not ~~make a grant under this section~~ provide cost–sharing funds using funds provided under this section for the construction of any facility or system related to animal waste management unless all of the following conditions are met:

SECTION 1926k. 92.14 (6) (h) 1. e. of the statutes is repealed.

SECTION 1926m. 92.14 (6) (h) 2. of the statutes is repealed.

SECTION 1926p. 92.14 (6) (h) 4. of the statutes is repealed.

SECTION 1926q. 92.14 (6) (i) 2. of the statutes is amended to read:

92.14 **(6)** (i) 2. Conduct all land management and pollutant management activities in substantial accordance with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 and with plans approved under this section, under s. 92.15, 1985 stats., and under ss. ~~92.08,~~ 92.10 and 281.65, or to repay the cost–sharing funds.

SECTION 1926s. 92.14 (6) (j) of the statutes is repealed.

SECTION 1926t. 92.14 (6) (L) of the statutes is amended to read:

92.14 **(6)** (L) ~~The department may make a~~ A county may provide cost–sharing funds from a grant under this section to replace a structure or facility at a new location,

rather than to repair or reconstruct the structure or facility, if the relocation reduces water pollution and replacement is cost–effective compared to repairing or reconstructing the structure or facility.

SECTION 1926u. 92.14 (6) (m) of the statutes is created to read:

92.14 **(6)** (m) The department of agriculture, trade and consumer protection and the department of natural resources shall assist counties in conducting the activities for which grants under sub. (3) may be used.

SECTION 1926v. 92.14 (10) of the statutes is amended to read:

92.14 **(10)** TRAINING. ~~The county may use a grant under this section for training required under s. 92.18 or for any other training necessary to prepare personnel to perform job duties related to this section.~~ The department may contract with any person for services to administer or implement this chapter, including information and education and training.

SECTION 1926w. 92.14 (11) of the statutes is repealed.

SECTION 1926x. 92.14 (14) of the statutes is amended to read:

92.14 **(14)** APPLICATION, ALLOCATION, REPORTING AND EVALUATION ~~FORMS~~. The department, jointly with the department of natural resources, shall develop a single set of grant application, reporting and evaluation forms for use by counties receiving grants under this section and ~~s.~~ ss. 281.65 and 281.66. The department, jointly with the department of natural resources, shall implement a single process for grant application, funding allocation, reporting and evaluation for counties receiving grants under this section and ss. 281.65 and 281.66.

SECTION 1926y. 92.14 (14m) of the statutes is created to read:

92.14 **(14m)** COORDINATION. The department of agriculture, trade and consumer protection and the department of natural resources, jointly, shall review applications from counties for grants under sub. (5r) and, for projects and activities selected to receive funding shall determine whether to provide funding under this section or under s. 281.65 or 281.66.

SECTION 1926ye. 92.15 (4) of the statutes is amended to read:

92.15 **(4)** A local governmental unit may not apply a regulation under sub. (2) or (3) to a livestock operation that exists on October 14, 1997, unless the local governmental unit determines, using the rules promulgated under s. 281.16 (3) (e), that cost–sharing is available to the owner or operator of the livestock operation under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source.

SECTION 1926ym. 92.17 (2m) of the statutes is amended to read:

92.17 **(2m)** AUTHORITY TO ENFORCE ORDINANCE. A county~~, city, village or town~~ may not enforce a shoreland management ordinance unless the county uses funds ~~have been appropriated~~ provided under s. 92.14 (3) for grants for the purposes under s. 92.14 ~~(3m)~~ (3) (b). A city, village or town may not enforce a shoreland management ordinance unless the county in which the city, village or town is located uses funds provided under s. 92.14 (3) for grants for the purposes under s. 92.14 (3) (b).

SECTION 1926yr. 92.18 (2m) of the statutes is created to read:

92.18 **(2m)** If a person is certified under this section to review plans for, or conduct inspections of, a type of agricultural engineering practice at one of the levels under sub. (2) (c), the department shall allow the person to review plans for, or conduct inspections of, all types of agricultural engineering practices at that same level without requiring any additional certification.

SECTION 1927. 93.06 (1n) of the statutes is created to read:

93.06 **(1n)** ELECTRONIC PROCESSING. (a) Accept and process by electronic means applications and payments for licenses, permits, registrations and certificates that are issued by the department.

(b) Accept and process by electronic means requests and payments for goods and services that the department is authorized to provide.

(c) Promulgate rules specifying fees to cover the department's electronic processing costs under pars. (a) and (b). The fees under this paragraph are in addition to any other fees required to be paid to the department.

SECTION 1928. 93.06 (12) of the statutes is created to read:

93.06 **(12)** FEDERAL DAIRY POLICY REFORM. Provide assistance to organizations to seek the reform of federal milk marketing orders and other federally authorized dairy pricing policies for the benefit of milk producers in this state.

SECTION 1929. 93.06 (12) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 1930. 93.06 (13) of the statutes is created to read:

93.06 **(13)** PLANT PROTECTION AGREEMENTS. Enter into cooperative agreements with corporations, associations, foundations and individuals to carry out plant protection activities under ch. 94.

SECTION 1930j. 93.07 (3) of the statutes is amended to read: **Vetoed In Part**

93.07 **(3)** PROMOTION OF AGRICULTURE. To promote the interests of agriculture, dairying, horticulture, manufacturing, commercial fishing and the domestic arts and to advertise Wisconsin and its dairy, food and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food and dairy products. The department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with

Vetoed In Part

the department of commerce where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity. In each fiscal year, the department shall seek federal moneys for the promotion of exports of agricultural products in an amount at least equal to $130,000 plus the amount of federal moneys received for this purpose in fiscal year 1998–99.

Vetoed In Part

SECTION 1930r. 93.07 (7) (e) of the statutes is created to read:

93.07 **(7)** (e) On September 1 of each year, to submit a consumer telecommunication services report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall contain all of the following information for the preceding 12 months:

1. The types of consumer complaints received by the department regarding telecommunication services, by category.

2. The number of consumer complaints in each category reported under subd. 1. and the aggregate number of consumer complaints for all categories reported under subd. 1.

3. The number of consumer complaints reported under subd. 1. that the department referred to the department of justice for prosecution and the result of those prosecutions.

4. A description of the department's efforts to coordinate with the department of justice and the public service commission to respond to and address consumer complaints regarding telecommunication services and the results of those efforts.

5. A description of how the services offered by the department to respond to and address consumer complaints regarding telecommunication services differ from those offered by the department of justice and the public service commission.

SECTION 1931v. 93.135 (1) (intro.) of the statutes is amended to read:

93.135 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant who is an individual to provide the department with the applicant's social security number as a condition of issuing or renewing any of the following:

SECTION 1932. 93.135 (1) (b) of the statutes is amended to read:

93.135 **(1)** (b) A license under s. 94.10 (2), (3) or ~~(4)~~ (3g).

SECTION 1932c. 93.135 (1m) of the statutes is created to read:

93.135 **(1m)** (a) If an individual who applies for the issuance or renewal of a license, registration, registration certificate or certification specified in sub. (1) does not have a social security number, the department shall require the applicant, as a condition of issuing or renewing the license, registration, registration certificate or certification, to submit a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The statement shall be in the form prescribed by the department of workforce development.

(b) A license, registration, registration certificate or certification specified in sub. (1) that is issued in reliance on a statement submitted under par. (a) is invalid if the statement is false.

SECTION 1933. 93.60 of the statutes is repealed.

SECTION 1933gm. 93.70 of the statutes is created to read:

93.70 Conservation reserve enhancement program. (1) DEFINITIONS. In this section:

Vetoed In Part

(a) "Conservation easement" has the meaning given in s. 700.40 (1) (a).

(b) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

Vetoed In Part

(2) STATE PARTICIPATION. Subject to subs. (3) to (6), the department may expend funds from the appropriation account under s. 20.866 (2) (wf) to improve water quality, erosion control and wildlife habitat through participation by this state in the conservation reserve enhancement program as approved by the secretary of the federal department of agriculture under 16 USC 3834 (f) (4). The department shall administer the program in cooperation with the department of natural resources.

Vetoed In Part

Vetoed In Part

(3) FORMS OF PARTICIPATION. (a) Land enrolled in the conservation reserve enhancement program may either be subject to a permanent conservation easement or to a contract under which the owner of the land agrees to remove the land from agricultural production. The department shall provide greater financial incentives for landowners to grant permanent easements than to enter into contracts. The department shall provide a financial bonus to landowners who allow public access to enrolled land.

(b) The department shall administer the conservation reserve enhancement program so that at least 50% of the acreage of land enrolled in the program is covered by permanent conservation easements under par. (a). If, after 50,000 acres of land have been enrolled in the program, less than 50% of the acreage of land enrolled in the program is covered by permanent conservation easements, the department and the department of natural resources shall review the effectiveness of the program to determine whether the program is meeting its water quality and wildlife habitat objectives and shall report the results of the review to the legislature under s. 13.172 (2).

(c) On behalf of this state, the department and the department of natural resources shall jointly hold conservation easements entered into for land enrolled in the conservation reserve enhancement program.

Vetoed In Part

(d) The department may provide funding from the appropriation under s. 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years or longer.

(4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the federal department of agriculture authorizes this state to enroll 100,000 or more acres in the conservation resource enhancement program, the department shall administer the program so that at least 30,000 acres are designated for grassland wildlife habitat. If the secretary of the federal department of agriculture authorizes this state to enroll fewer than 100,000 acres, the department shall administer the program so that at least 30% of the acreage of land enrolled in the program is designated for grassland wildlife habitat. The department shall designate for grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane and Green counties, the prairie chicken range in Portage, Clark, Taylor and Marathon counties and the western prairie area in Polk and St. Croix counties.

(b) The department may not require that land designated for grassland wildlife habitat be riparian land.

(c) The department shall provide a financial bonus to landowners who enroll land that is designated for grassland habitat if the land is adjacent to land that is owned by another person and that is enrolled and designated for grassland habitat. The department shall also provide a financial bonus to a landowner who enrolls land that is designated for grassland habitat if the landowner agrees to implement a conservation practice that requires restoration of native prairie vegetation.

(5) PARTICIPATION REQUIREMENTS. The department may not impose more restrictive requirements for participation in the conservation reserve enhancement program with respect to production and land ownership than are required by the secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

(6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT. A nonprofit conservation organization may negotiate contracts or easements under sub. (3) (a) with landowners with the assistance of the department and the department of natural resources. A county may negotiate contracts or easements under sub. (3) (a) with landowners with the assistance of the department and the department of natural resources. In counties that do not choose to participate, the department and the department of natural resources shall negotiate the contracts or easements.

(7) PROHIBITION. No person may use land enrolled in the conservation reserve enhancement program as a pheasant and quail farm licensed under s. 29.865, a game bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s. 29.869 or a deer farm licensed under s. 29.871.

SECTION 1934. 94.10 of the statutes is repealed and recreated to read:

94.10 Nursery stock; inspection and licensing. (1) DEFINITIONS. In this section:

(a) "Christmas tree grower" means a person who grows evergreen trees for eventual harvest and sale as Christmas trees, except that "Christmas tree grower" does not include a person who grows evergreen trees for eventual harvest and sale as Christmas trees if the person also grows nursery stock for sale and if the person is licensed under sub. (3).

(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, except that "nursery dealer" does not include an employe of a person licensed under this section.

(e) "Nursery grower" means a person who owns or operates a nursery.

(f) "Nursery stock" means plants and plant parts that can be propagated or grown, excluding seeds, sod, cranberry cuttings, annuals and evergreen trees grown for eventual harvest and sale as Christmas trees.

(g) "Officially inspected source" means any of the following:

1. A nursery dealer licensed under sub. (2).

2. A nursery grower licensed under sub. (3).

3. A source outside this state that the department recognizes under sub. (10) as an officially inspected source.

(j) "Sell" means to transfer ownership, for consideration.

(2) NURSERY DEALER; ANNUAL LICENSE. (a) *License required.* Except as provided in par. (f), no person may operate as a nursery dealer without an annual license from the department. A nursery dealer license expires on February 20. A nursery dealer license may not be transferred to another person.

(b) *Applying for a license.* A person applying for a nursery dealer license under par. (a) shall apply on a form provided by the department. An applicant shall provide all of the following to the department:

1. The applicant's legal name and address and any other name under which the applicant does business.

2. The address of each location at which the applicant proposes to hold nursery stock for sale.

3. The license fee required under par. (c).

4. The surcharge required under par. (d), if any.

5. Other information reasonably required by the department for licensing purposes.

(c) *License fee.* A nursery dealer shall pay the following annual license fee, based on annual purchases calculated according to par. (e):

1. If the nursery dealer buys no more than $5,000 worth of nursery stock for resale, $30.

2. If the nursery dealer buys more than $5,000 but not more than $20,000 worth of nursery stock for resale, $50.

3. If the nursery dealer buys more than $20,000 but not more than $100,000 worth of nursery stock for resale, $100.

4. If the nursery dealer buys more than $100,000 but not more than $200,000 worth of nursery stock for resale, $150.

5. If the nursery dealer buys more than $200,000 but not more than $500,000 worth of nursery stock for resale, $200.

6. If the nursery dealer buys more than $500,000 but not more than $2,000,000 worth of nursery stock for resale, $300.

7. If the nursery dealer buys more than $2,000,000 worth of nursery stock for resale, $400.

(d) *Surcharge for operating without a license.* In addition to the fee required under par. (c), an applicant for a nursery dealer license shall pay a surcharge equal to the amount of that fee if the department determines that, within 365 days before submitting the application, the applicant operated as a nursery dealer without a license in violation of par. (a). Payment of the surcharge does not relieve the applicant of any other penalty or liability that may result from the violation, but does not constitute evidence of a violation of par. (a).

(e) *Calculating annual purchases.* The amount of an applicant's license fee under par. (c) for a license year shall be based on the applicant's purchases of nursery stock during the applicant's preceding fiscal year, except that if the applicant made no purchases of nursery stock during the preceding fiscal year the fee shall be based on the applicant's good faith prediction of purchases during the license year for which the applicant is applying.

(f) *Exemptions.* Paragraph (a) does not apply to any of the following:

1. A person whose only sales of nursery stock are retail sales totaling less than $250 annually.

2. A person selling or offering to sell nursery stock for the benefit of a nonprofit organization, for a period of not more than 7 consecutive days.

(3) NURSERY GROWER; ANNUAL LICENSE. (a) *License required.* Except as provided in par. (f), no person may operate as a nursery grower without an annual license from the department. A nursery grower license expires on February 20. A nursery grower license may not be transferred to another person.

(b) *Applying for a license.* A person applying for a nursery grower license under par. (a) shall apply on a form provided by the department. An applicant shall provide all of the following to the department:

1. The applicant's legal name and address and any other name under which the applicant does business.

2. The address of each location in this state at which the applicant operates a nursery, grows evergreen trees for eventual sale as Christmas trees or holds nursery stock or Christmas trees for sale.

3. The license fee required under par. (c) and under par. (cm), if applicable.

4. The surcharge required under (d), if any.

5. Other information reasonably required by the department for licensing purposes.

(c) *License fee.* A nursery grower shall pay the following annual license fee, based on annual sales calculated according to par. (e), plus the additional license fee under par. (cm), if applicable:

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) *Additional license fee for Christmas tree sales.* A nursery grower that sells Christmas trees shall pay the following additional 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 Christmas trees, $20.

2. If the nursery grower annually sells more than $5,000 but not more than $20,000 worth of Christmas trees, $55.

3. If the nursery grower annually sells more than $20,000 but not more than $100,000 worth of Christmas trees, $90.

4. If the nursery grower annually sells more than $100,000 but not more than $200,000 worth of Christmas trees, $150.

5. If the nursery grower annually sells more than $200,000 but not more than $500,000 worth of Christmas trees, $250.

6. If the nursery grower annually sells more than $500,000 but not more than $2,000,000 worth of Christmas trees, $450.

7. If the nursery 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) and under par. (cm), if applicable, an applicant for a nursery grower license shall pay a surcharge equal to the amount of that fee if the department determines that, within 365 days before submitting that application, the applicant operated as a nursery grower without a license in violation of par. (a). Payment of the surcharge does not relieve the applicant of any other penalty or liability that may result from the violation, but does not constitute evidence of a violation of par. (a).

(e) *Calculating annual sales.* The amount of an applicant's license fee under par. (c) for a license year shall be based on the applicant's sales of nursery stock during the applicant's preceding fiscal year, except that if the applicant made no sales of nursery stock 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. If par. (cm) applies to an applicant, the amount of the applicant's additional license fee under par. (cm) for a license year shall be based on the applicant's sales of Christmas trees during the applicant's preceding fiscal year, except that if the applicant made no sales of Christmas trees during the preceding fiscal year the fee shall be based on the applicants good faith prediction of sales during the license year for which the applicant is applying.

(f) *Exemptions.* Paragraph (a) does not apply to any of the following:

1. A nursery grower whose only sales of nursery stock and Christmas trees are retail sales totaling less than $250 annually.

2. A person growing nursery stock only for sale for the benefit of a nonprofit organization, for a period of not more than 7 days.

(3g) CHRISTMAS TREE GROWER; ANNUAL LICENSE. (a) *License required.* Except as provided in par. (e), no person may operate as a Christmas tree grower without an annual license from the department. A Christmas tree grower license expires on February 20. A Christmas tree grower license may not be transferred to another person.

(b) *Applying for a license.* A person applying for a Christmas tree grower license under par. (a) shall apply on a form provided by the department. An applicant shall provide all of the following to the department:

1. The applicant's legal name and address and any other name under which the applicant does business.

2. The address of each location in this state at which the applicant grows evergreen trees for eventual sale as Christmas trees or at which the applicant holds Christmas trees for sale.

3. The license fee required under par. (c).

4. Other information reasonably required by the department for licensing purposes.

(c) *License fee.* A Christmas tree grower shall pay the following annual license fee, based on annual sales calculated according to par. (d):

1. If the Christmas tree grower annually sells no more than $5,000 worth of Christmas trees, $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) *Calculating annual sales.* The amount of an applicant's license fee under par. (c) for a license year shall be based on the applicant's sales of Christmas trees during the applicant's preceding fiscal year, except that if the applicant made no sales during the preceding fiscal year the fee shall be based on the applicant's good faith prediction of sales during the license year for which the applicant is applying.

(e) *Exemption.* Paragraph (a) does not apply to a Christmas tree grower whose only sales of Christmas trees are retail sales totaling less than $250 annually.

(3m) NOTICE OF NEW LOCATIONS. (a) The holder of a nursery dealer license shall notify the department in writing before adding, during a license year, any new location at which the license holder will hold nursery stock for sale. The license holder shall specify the address of the new location in the notice.

(b) The holder of a nursery grower license shall notify the department in writing before adding, during the license year, any new location at which the license holder will operate a nursery, grow evergreen trees for eventual sale as Christmas trees or hold Christmas trees or nursery stock for sale. The license holder shall specify the address of the new location in the notice.

(c) The holder of a Christmas tree grower license shall notify the department in writing before adding, during the license year, any new location at which the license holder will grow evergreen trees for eventual sale as Christmas trees or hold Christmas trees for sale.

(4) NURSERY GROWERS AND DEALERS; RECORDS. (a) *Nursery dealers; records of nursery stock received.* A nursery dealer shall keep a record of every shipment of nursery stock received by the nursery dealer. The nursery dealer shall include all of the following in the record:

1. A description of the types of nursery stock, and the quantity of nursery stock of each type, included in the shipment.

2. The name and address of the source from which the nursery dealer received the shipment.

(b) *Nursery growers and dealers; records of shipments to other nursery growers and dealers.* Each nursery grower and nursery dealer shall record every shipment of nursery stock that the nursery grower or nursery dealer sells or distributes to another nursery grower or nursery dealer. The nursery grower or nursery dealer shall include all of the following in the record:

1. A description of the types of nursery stock, and the quantity of nursery stock of each type, included in the shipment.

2. The name and address of the nursery grower or nursery dealer receiving the shipment.

(c) *Records retained and made available.* A nursery grower or nursery dealer who is required to keep records under par. (a) or (b) shall retain those records for at least 3 years and shall make those records available to the department for inspection and copying upon request.

(5) LABELING NURSERY STOCK. (a) *Nursery stock shipped to grower or dealer.* No person may sell or distribute any shipment of nursery stock to a nursery grower or nursery dealer, and no nursery grower or nursery dealer may accept a shipment of nursery stock, unless that shipment is labeled with all of the following:

1. The name and address of the person selling or distributing the shipment to the nursery grower or nursery dealer.

2. A certification, by the person under subd. 1., that all of the nursery stock included in the shipment is from officially inspected sources.

(b) *Growers and dealers to report unlabeled shipments.* Whenever any person tenders to a nursery grower or nursery dealer any shipment of nursery stock that is not fully labeled according to par. (a), the nursery grower or nursery dealer shall promptly report that unlabeled shipment to the department.

(c) *Nursery stock sold at retail.* A person selling nursery stock at retail shall ensure that the nursery stock is labeled with the common or botanical name of the nursery stock.

(6) CARE OF NURSERY STOCK. (a) *Adequate facilities.* A nursery grower or nursery dealer shall maintain facilities that are reasonably adequate for the care and keeping of nursery stock held for sale, so that the nursery grower or nursery dealer can keep the nursery stock in healthy condition pending sale.

(b) *Reasonable examinations.* Nursery growers and nursery dealers shall make reasonable examinations of nursery stock held for sale to determine whether that nursery stock is capable of reasonable growth, is infested with injurious pests or is infected with disease.

(7) PROHIBITIONS. (a) *Nursery dealers.* No nursery dealer may do any of the following:

1. Obtain, hold, sell, offer to sell or distribute nursery stock from any source other than an officially inspected source.

2. Misrepresent that the nursery dealer is a nursery grower.

(b) *Nursery growers and dealers.* No nursery grower or nursery dealer may do any of the following:

1. Sell, offer to sell or distribute any nursery stock that the nursery grower or nursery dealer knows, or has reason to know, is infested with plant pests or infected with plant diseases that may be spread by the sale or distribution of that nursery stock.

2. Sell, offer to sell or distribute any nursery stock that the nursery grower or nursery dealer knows, or has reason to know, will not survive or grow.

3. Misrepresent the name, origin, grade, variety, quality or hardiness of any nursery stock offered for sale or make any other false or misleading representation in the advertising or sale of nursery stock.

4. Conceal nursery stock to avoid inspection by the department, falsify any record required under this section or make any false or misleading statement to the department.

(8) DEPARTMENT INSPECTION. The department may inspect nurseries and premises at which nursery stock is held for sale or distribution. The department may inspect premises at which evergreen trees are grown for eventual sale as Christmas trees and premises at which Christmas trees are held for sale or distribution.

(9) DEPARTMENT ORDERS. (a) *Holding orders and remedial orders.* An authorized employe or agent of the department may, by written notice, order a nursery grower or nursery dealer to do any of the following:

1. Temporarily hold nursery stock pending inspection by the department.

2. Remedy violations of this section.

3. Refrain from importing weeds or pests that threaten agricultural production or the environment in this state.

4. Permanently withhold nursery stock from sale or distribution, if the sale or distribution would violate this section or an order issued under this section and the violation cannot be adequately remedied in another manner.

5. Destroy or return, without compensation from the department, nursery stock that is sold or distributed in violation of this section, or an order issued under this section, if the violation cannot be adequately remedied in another manner.

(b) *Hearing.* If the recipient of an order under par. (a) requests a hearing on that order, the department shall hold an informal hearing within 10 days unless the recipient of the order consents to a later date for an informal hearing. The request for a hearing is not a request under s. 227.42

(1). If a contested matter is not resolved at the informal hearing, the recipient of the order is entitled to a class 2 contested case hearing under ch. 227. The department is not required to stay an order under par. (a) pending the outcome of any hearing under this paragraph.

(10) RECIPROCAL AGREEMENTS WITH OTHER STATES. (a) *General.* The department may enter into reciprocal agreements with other states to facilitate interstate shipments of nursery stock.

(b) *Officially inspected sources.* As part of an agreement under par. (a), the department may recognize sources of nursery stock in another state as officially inspected sources.

(c) *Inspection and certification standards.* An agreement under par. (a) may specify standards and procedures for all of the following:

1. Inspecting officially inspected sources of nursery stock.

2. Inspecting and certifying interstate shipments of nursery stock.

SECTION 1935. 94.50 (2) of the statutes is amended to read:

94.50 **(2)** GROWERS AND DEALERS; REGISTRATION. No person may act as a grower or a dealer unless he or she is registered with the department. Any person who acts as a dealer and a grower shall register as both. Registrations shall be made annually on a form provided by the department. Registrations expire on December 31 of each year. A dealer shall pay to the department an annual registration fee of $25. The department shall assign a registration number to each person registered under this subsection. All moneys collected under this subsection shall be credited to the appropriation account under s. 20.115 (7) (ga).

SECTION 1936. 94.50 (3) (b) of the statutes is amended to read:

94.50 **(3)** (b) The department shall upon request provide each registered grower and dealer with shipment certificates and report forms required under par. (a). The department shall stamp each shipment certificate and report form with the registration number of the grower or dealer. A shipment certificate and report form is valid only if used during the registration period for which the stamp registration number of the grower or dealer was issued. The department may charge a reasonable fee to recover the costs related to providing shipment certificates and report forms. All moneys collected under this paragraph shall be credited to the appropriation account under s. 20.115 (7) (ga).

SECTION 1937. 94.64 (4) (a) 1. of the statutes is amended to read:

94.64 **(4)** (a) 1. A basic fee of ~~25~~ 23 cents per ton for fertilizer sold or distributed ~~from July 1, 1997, to June 30, 1999~~ beginning on the effective date of this subdivision .... [revisor inserts date], and ending on June 30, 2001, and ~~32~~ 30 cents per ton for fertilizer sold or distributed after June 30, ~~1999~~ 2001, with a minimum fee of $25.

SECTION 1938. 94.64 (4) (a) 6. of the statutes is created to read:

94.64 **(4)** (a) 6. Beginning on the effective date of this subdivision .... [revisor inserts date], a weights and measures inspection fee of 2 cents per ton, with a minimum fee of $1.

SECTION 1939. 94.64 (4) (c) 6. of the statutes is created to read:

94.64 **(4)** (c) 6. The department shall credit the fee under par. (a) 6. to the appropriation account under s. 20.115 (1) (j).

SECTION 1940. 94.681 (2) (a) 1. to 3. of the statutes are amended to read:

94.681 **(2)** (a) 1. If the applicant sold less than $25,000 of the product during the preceding year for use in this state, $265, except that the fee is $215 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

2. If the applicant sold at least $25,000 but less than $75,000 of the product during the preceding year for use in this state, $750, except that the fee is $650 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

3. If the applicant sold at least $75,000 of the product during the preceding year for use in this state, $1,500, except that the fee is $1,200 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

SECTION 1941. 94.681 (2) (b) 1. to 3. of the statutes are amended to read:

94.681 **(2)** (b) 1. If the applicant sold less than $25,000 of the product during the preceding year for use in this state, $315, except that the fee is $265 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

2. If the applicant sold at least $25,000 but less than $75,000 of the product during the preceding year for use in this state, $860, except that the fee is $760 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

3. If the applicant sold at least $75,000 of that product during the preceding year for use in this state, $3,060, except that the fee is $2,760 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

SECTION 1942. 94.681 (2) (c) 1. to 3. of the statutes are amended to read:

94.681 **(2)** (c) 1. If the applicant sold less than $25,000 of that product during the preceding year for use in this state, $320, except that the fee is $270 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

2. If the applicant sold at least $25,000 but less than $75,000 of the product during the preceding year for use in this state, $890, except that the fee is $790 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

3. If the applicant sold at least $75,000 of the product during the preceding year for use in this state, $3,060 plus 0.2% of the gross revenues from sales of the product during the preceding year for use in this state, except that for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002, the fee shall be $2,760 plus 0.2% of the gross revenues from sales of the product during the preceding year for use in this state.

SECTION 1942mc. 94.695 of the statutes is created to read:

94.695 Pesticide sales and use reporting system. (1) PROPOSAL. The department shall develop a proposal for a pesticide sales and use reporting system and shall, no later than July 1, 2000, submit the proposal to the joint committee on finance for review. **Vetoed In Part**

(2) FUNDING. If the joint committee on finance approves the proposal under sub. (1), it may, from the appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.115 (7) (uc) in an amount not to exceed $250,000 and the appropriation under s. 20.115 (7) (ue) in an amount not to exceed $150,000. Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an emergency exists. **Vetoed In Part**

(3) PILOT PROJECT. If the joint committee on finance approves the proposal under sub. (1), the department shall administer a pilot program to test the pesticide sales and use reporting system.

SECTION 1943. 94.704 (3) (a) 1. of the statutes is amended to read:

94.704 **(3)** (a) 1. A license fee of $40, except that the license fee is $30 for the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and January 1, 2002.

SECTION 1944. 94.72 (6) (a) 1. and 2. of the statutes are amended to read:

94.72 **(6)** (a) 1. For commercial feeds distributed in this state ~~during the years that begin on January 1, 1998, and on January 1, 1999, 15~~, beginning on the effective date of this subdivision .... [revisor inserts date], and ending on December 31, 2001, a feed inspection fee of 13 cents per ton.

2. For commercial feeds distributed in this state on or after January 1, ~~2000, 25~~ 2002, a feed inspection fee of 23 cents per ton.

SECTION 1945. 94.72 (6) (a) 3. of the statutes is created to read:

94.72 **(6)** (a) 3. Beginning on the effective date of this subdivision .... [revisor inserts date], for commercial feeds distributed in this state a weights and measures inspection fee of 2 cents per ton.

SECTION 1945e. 94.73 (2) (c) of the statutes is amended to read: **Vetoed In Part**

94.73 **(2)** (c) The department may issue an order under par. (a) on a summary basis without prior notice or a prior hearing if the department determines that a summary order is necessary to prevent imminent harm to public health or safety or to the environment. If the recipient of a summary order requests a hearing on that order, the department shall hold a hearing within 10 days after it receives the request unless the recipient agrees to a later hearing date. The department is not required to stay enforcement of a summary order issued under this paragraph pending the outcome of the hearing. If the responsible person prevails after a hearing, the department shall reimburse the responsible person from the appropriation account under s. 20.115 (7) ~~(e) or~~ (wm) for the corrective action costs incurred as the result of the department's order.

SECTION 1945g. 94.73 (7) (a) of the statutes is amended to read:

94.73 **(7)** (a) The department may make payments to a responsible person who is eligible for reimbursement under sub. (3) if the department has authorized reimbursement to that person under sub. (6). The department shall make payment from the appropriation ~~accounts~~ account under s. 20.115 (7) ~~(e) and~~ (wm), subject to the availability of funds in ~~those~~ that appropriation ~~accounts~~ account. If there are insufficient funds to pay the full amounts authorized under sub. (6) to all eligible responsible persons, the department shall distribute payments in the order in which applications were received, unless the department specifies, by rule, a different order of payment.

SECTION 1945s. 95.197 of the statutes is created to read:

95.197 Financial assistance for paratuberculosis testing. (1) The department shall provide financial assistance to owners of livestock herds for conducting testing for paratuberculosis. The department may only provide financial assistance under this section for the first time that the owner of a livestock herd tests the herd. **Vetoed In Part**

(2) The department shall promulgate rules for providing financial assistance under sub. (1).

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 1946m. 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 toxigenic microorganisms.

2. Growth and toxin production of Clostridium botulinum.

3. In raw shell eggs, growth of Salmonella enteritidis.

SECTION 1946n. 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 1946p. 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, 317 to 319, 416 and 417 and part 381 subparts G, H, I, J, K, L, O and P as they apply to federally licensed establishments.

Vetoed In Part

SECTION 1950m. 98.01 (3) of the statutes is amended to read:

98.01 **(3)** "Municipality" means a city ~~or~~, village or town.

SECTION 1951. 98.04 (1) of the statutes is amended to read:

98.04 **(1)** ~~Each~~ Except as provided in sub. (2), a municipality having a population of more than 5,000, according to the ~~latest federal census~~ most recent population estimate made by the department of administration under s. 16.96, shall enforce the provisions of this chapter within its jurisdiction. For this purpose ~~it~~, a municipality shall establish a municipal department of weights and measures. Each municipal department of weights and measures shall have such number of qualified sealers or inspectors as will ensure compliance with this chapter. Municipal sealers or inspectors shall have the same authority as sealers or inspectors of the department of agriculture, trade and consumer protection. The selection of municipal sealers or inspectors shall be from a list of applicants whose qualifications have been certified by the state or local civil service agency under the rules of the agency. ~~Such~~ The municipality shall procure and keep at all times a complete set of standards of weight and measure conforming to the state standards~~, and such standards shall be submitted~~ and shall submit the standards for certification at regular intervals as required by the department~~. It~~ of agriculture, trade and consumer protection. The municipality shall keep a complete record of its work and annually shall file a report thereof with the department of agriculture, trade and consumer protection. ~~Municipalities~~ The municipality may enact ordinances ~~regulating~~ that regulate weights and measures and that are not in conflict with this chapter or the rules of the department ~~and~~ of agriculture, trade and consumer protection. The municipality may assess fees ~~which~~ that do not exceed the actual cost of ~~the municipal~~ its weights and measures program.

SECTION 1952. 98.04 (2) of the statutes is repealed and recreated to read:

98.04 **(2)** A municipality that is required to establish a department of weights and measures under sub. (1) may contract with the department of agriculture, trade, and consumer protection to enforce the provisions of this chapter within the municipality's jurisdiction instead of establishing its own department if the department of agriculture, trade and consumer protection agrees to enter into such a contract. The department of agriculture, trade and consumer protection may charge the municipality fees sufficient to cover the department's costs under the contract. A municipality may recover an amount not to exceed the cost of these fees by assessing fees on the persons who receive services under the weights and measures program.

SECTION 1952m. 98.12 of the statutes is amended to read:

98.12 ~~Standard containers; frozen desserts~~ Sale of ice cream and similar frozen products. Ice cream, ice milk, water ices or other frozen desserts of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only and shall be packaged only in containers with capacities of one–half liquid pint, one liquid pint, one liquid quart, or a multiple of one liquid quart~~. This section does not apply if ~~such~~ the products are packaged at time of sale at retail or sold in quantities of less than one–half liquid pint.

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 1953e. 98.21 of the statutes is repealed and recreated to read:

98.21 Sale of bread. (1) Except as provided in sub. (2), no person may manufacture for sale in this state, offer to sell or sell bread unless the bread is sold by weight.

(2) Subsection (1) does not apply to stale bread if the bread is conspicuously marked "stale bread" or is placed in a container conspicuously marked "stale bread" and sold as and for stale bread.

SECTION 1960. 100.261 of the statutes is created to read:

100.261 Consumer information assessment. (1) If a court imposes a fine or forfeiture for a violation of this chapter, ch. 98, a rule promulgated under this chapter or ch. 98 or an ordinance enacted under this chapter or ch. 98, the court shall also impose a consumer information assessment in an amount equal to 15% of the fine or forfeiture imposed. If multiple violations are involved, the court shall base the consumer information assessment

upon the the total of the fine or forfeiture amounts for all violations. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the assessment in proportion to the suspension.

(2) If any deposit is made for a violation to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the consumer information assessment required under this section. If the deposit is forfeited, the amount of the consumer information assessment shall be transmitted to the state treasurer under sub. (3). If the deposit is returned, the consumer information assessment shall also be returned.

(3) (a) The clerk of court shall collect and transmit the consumer information assessment amounts to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer under s. 59.25 (3) (f) 2.

(b) 1. The state treasurer shall deposit the assessment amounts in the general fund and shall credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit under subd. 2.

2. The amount credited to the appropriation account under s. 20.115 (1) (jb) may not exceed $85,000 in each fiscal year.

SECTION 1972. 101.01 (4) of the statutes is amended to read:

101.01 **(4)** "Employer" means any person, firm, corporation, state, county, town, city, village, school district, sewer district, drainage district, family care district and other public or quasi–public corporations as well as any agent, manager, representative or other person having control or custody of any employment, place of employment or of any employe.

SECTION 1972c. 101.02 (18m) of the statutes is amended to read:

101.02 **(18m)** The department may perform, or contract for the performance of, testing of petroleum products other than testing provided under ch. 168. The department may establish a schedule of fees for such petroleum product testing services. The department shall credit all revenues received from fees established under this subsection to the appropriation account under s. 20.143 (3) (ga). Revenues from fees established under this subsection may be used by the department to pay for testing costs, including laboratory supplies and equipment amortization, for such products.

SECTION 1972g. 101.02 (20) (a) of the statutes is amended to read:

101.02 **(20)** (a) For purposes of this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

SECTION 1972h. 101.02 (20) (b) of the statutes is amended to read:

101.02 **(20)** (b) ~~The~~ Except as provided in par. (e), the department of commerce may not issue or renew a license unless each applicant who is an individual provides the department of commerce with his or her social security number and each applicant that is not an individual provides the department of commerce with its federal employer identification number. The department of commerce may not disclose the social security number or the federal employer identification number of an applicant for a license or license renewal except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 1972k. 101.02 (20) (e) of the statutes is created to read:

101.02 **(20)** (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of commerce that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Any license issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1 is invalid.

SECTION 1972m. 101.02 (21) (a) of the statutes is amended to read:

101.02 **(21)** (a) In this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

SECTION 1972n. 101.02 (21) (b) of the statutes is amended to read:

101.02 **(21)** (b) As provided in the memorandum of understanding under s. 49.857 and except as provided in par. (e), the department of commerce may not issue or renew a license unless the applicant provides the department of commerce with his or her social security number. The department of commerce may not disclose the social security number except that the department of commerce may disclose the social security number of an applicant for a license under par. (a) or a renewal of a license under par. (a) to the department of workforce development for the sole purpose of administering s. 49.22.

SECTION 1972r. 101.02 (21) (e) of the statutes is created to read:

101.02 **(21)** (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of commerce that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Any license issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1 is invalid.

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 1975m. 101.09 (2) (cm) of the statutes is created to read:

101.09 **(2)** (cm) Any rules promulgated under sub. (3) requiring an owner to test the ability of a storage tank, connected piping or ancillary equipment to prevent an inadvertent release of a stored substance or requiring an owner to permanently close or upgrade a storage tank do not apply to storage tanks that satisfy all of the following:

Vetoed In Part

1. Are installed before the effective date of this subdivision .... [revisor inserts date].

2. Have a capacity of less than 1,100 gallons.

3. Are used to store heating oil for residential, consumptive use on the premises where stored.

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 1976r. 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 1979p. 101.143 (1) (bm) of the statutes is created to read:

101.143 **(1)** (bm) "Enforcement standard" has the meaning given in s. 160.01 (2).

SECTION 1979r. 101.143 (1) (cq) of the statutes is created to read:

101.143 **(1)** (cq) "Natural attenuation" means the reduction in the concentration and mass of a substance, and the products into which the substance breaks down, due to naturally occurring physical, chemical and biological processes.

SECTION 1979v. 101.143 (2) (em) of the statutes is created to read:

101.143 **(2)** (em) 1. The department may promulgate rules that specify a fee that must be paid by a service provider as a condition of submitting a bid to conduct an activity under sub. (3) (c) for which a claim for reimbursement under this section will be submitted. Any fees collected under the rules shall be deposited into the petroleum inspection fund.

2. If the department promulgates rules under subd. 1., the department may purchase, or provide funding for the purchase of, insurance to cover the amount by which the costs of conducting activities under sub. (3) (c) exceed the amount bid to conduct those activities.

SECTION 1980c. 101.143 (2) (h) of the statutes is created to read:

101.143 **(2)** (h) The department of commerce and the department of natural resources, jointly, shall promulgate rules designed to facilitate effective and cost–efficient administration of the program under this section that specify all of the following:

1. Information that must be submitted under this section, including quarterly summaries of costs incurred with respect to a discharge for which a claim is intended to be submitted under sub. (3) but for which a final claim has not been submitted.

2. Formats for submitting the information under subd. 1.

3. Review procedures that must be followed by employes of the department of natural resources and the department of commerce in reviewing the information submitted under subd. 1.

SECTION 1981c. 101.143 (2) (i) of the statutes is created to read:

101.143 **(2)** (i) The department of commerce and the department of natural resources, jointly, shall promulgate rules specifying procedures for evaluating remedial action plans and procedures to be used by employes of the department of commerce and the department of natural resources while remedial actions are being conducted. The departments shall specify procedures that include all of the following:

1. Annual reviews that include application of the method in the rules promulgated under sub. (2e) (b) to determine the risk posed by discharges that are the subject of the remedial actions.

2. Annual reports by consultants estimating the additional costs that must be incurred to comply with sub. (3) (c) 3. and with enforcement standards.

3. A definition of "reasonable time" for the purpose of determining whether natural attenuation may be used to achieve enforcement standards.

4. Procedures to be used to measure concentrations of contaminants.

SECTION 1981e. 101.143 (2) (j) of the statutes is created to read:

101.143 **(2)** (j) The department of commerce and the department of natural resources, jointly, shall promulgate rules specifying all of the following:

1. The conditions under which employes of the department of commerce and the department of natural resources must issue approvals under sub. (3) (c) 4.

2. Training and management procedures to ensure that employes comply with the requirements under subd. 1.

SECTION 1981g. 101.143 (2) (k) of the statutes is created to read:

101.143 **(2)** (k) In promulgating rules under pars. (h) to (j), the department of commerce and the department of natural resources shall attempt to reach an agreement that is consistent with those provisions. If the department of commerce and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with pars. (h) to (j). The department of commerce and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of commerce and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 1981i. 101.143 (2) (L) of the statutes is created to read:

101.143 **(2)** (L) The department may promulgate rules for the assessment and collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and for providing other assistance requested by applicants under this section. Any moneys collected under this paragraph shall be credited to the appropriation account under s. 20.143 (3) (Lm).

SECTION 1982c. 101.143 (2e) of the statutes is created to read:

101.143 **(2e)** RISK–BASED ANALYSIS. (a) The department of commerce and the department of natural resources shall attempt to agree on a method, which shall include individualized consideration of the routes for migration of petroleum product contamination at each site, for determining the risk to public health, safety and welfare and to the environment posed by discharges for which the department of commerce receives notification under sub. (3) (a) 3.

(b) If the department of commerce and the department of natural resources are unable to reach an agreement under par. (a), they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with par. (a). The department of commerce and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of commerce and the department of natural resources under par. (a) and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

(c) The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall apply the method in the rules promulgated under par. (b) to determine the risk posed by a dis-

charge for which the department of commerce receives notification under sub. (3) (a) 3.

SECTION 1983b. 101.143 (3) (c) 2. of the statutes is amended to read:

101.143 **(3)** (c) 2. Prepare a remedial action plan that identifies specific remedial action activities proposed to be conducted under subd. 3. and submit the remedial action plan to the department.

SECTION 1983m. 101.143 (3) (cm) of the statutes is amended to read:

101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person owning a home oil tank system may, with the approval of the department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce, satisfy the requirements of par. (c) 2. and 3. by proposing and implementing monitoring to ensure the effectiveness of ~~the~~ natural ~~process of degradation~~ attenuation of petroleum product contamination.

SECTION 1983t. 101.143 (3) (cp) of the statutes is created to read:

101.143 **(3)** (cp) *Bidding process.* 1. Except as provided in subds. 2. to 5., if the department of natural resources or, if the site is covered under s. 101.144 (2) (b), the department of commerce estimates that the cost to complete a site investigation, remedial action plan and remedial action for an occurrence exceeds $60,000, the department of commerce shall implement a competitive public bidding process to obtain information to assist in making the determination under par. (cs).

2. The department of commerce or the department of natural resources may waive the requirement under subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide water for human consumption.

Vetoed In Part

4. The department of commerce or the department of natural resources may waive the requirement under subd. 1. on the grounds that waiver is necessary in an emergency to prevent or mitigate an imminent hazard to public health, safety or welfare or to the environment.

5. The department of commerce or the department of natural resources may waive the requirement under subd. 1. after providing notice to the other department.

6. The department of commerce may disqualify a bid received under subd. 1. if, based on information available to the department and experience with remedial action at other sites, the bid is unlikely to establish an amount to sufficiently fund remedial action that will comply with par. (c) 3. and with enforcement standards.

7. The department of commerce may disqualify a person from submitting bids under subd. 1. if, based on past performance of the bidder, the department determines that the person has demonstrated an inability to complete remedial action within established cost limits.

SECTION 1984c. 101.143 (3) (cs) of the statutes is created to read:

101.143 **(3)** (cs) *Determination of least costly method of remedial action.* 1. The department of commerce shall review the remedial action plan for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of complying with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

2. The department of natural resources and the department of commerce shall review the remedial action plan for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of complying with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

3. In making determinations under subds. 1. and 2., the department of natural resources and the department of commerce shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

4. The department of commerce may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of commerce and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

SECTION 1984m. 101.143 (3) (cw) of the statutes is created to read:

101.143 **(3)** (cw) *Annual reviews.* 1. The department of commerce shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement under this section for any remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

2. The department of natural resources and the department of commerce shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144 and shall jointly determine the

least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method and shall notify the owner or operator that reimbursement under this section for remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

3. In making determinations under subds. 1. and 2., the department of natural resources and the department of commerce shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

4. The department of commerce may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of commerce and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

SECTION 1985b. 101.143 (3) (d) of the statutes is amended to read:

101.143 **(3)** (d) ~~*Review of site investigations, remedial action plans and*~~ *Final review of remedial action activities.* ~~The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall, at the request of the claimant, review the site investigation and the remedial action plan and advise the claimant on the adequacy of proposed remedial action activities in meeting the requirements of s. 292.11. The advice is not an approval of the remedial action activities.~~ The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce shall complete a final review of the remedial action activities within 60 days after the claimant notifies the appropriate department that the remedial action activities are completed.

SECTION 1985e. 101.143 (3) (g) (intro.) and 1. of the statutes are consolidated, renumbered 101.143 (3) (g) and amended to read:

101.143 **(3)** (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1. and 2., an owner or operator or the person may submit a claim for an award under sub. (4) after notifying the department under par. (a) 3., without completing an investigation under par. (c) 1. and without preparing a remedial action plan under par. (c) 2. if ~~any of the following apply: 1. An~~ an emergency existed which made the investigation under par. (c) 1. and the remedial action plan under par. (c) 2. inappropriate and, before conducting remedial action, the owner or operator or person notified the department of commerce and the department of natural resources of the emergency and the department of commerce and the department of natural resources authorized emergency action.

SECTION 1985f. 101.143 (3) (g) 2. of the statutes is repealed.

SECTION 1985m. 101.143 (4) (b) (intro.) of the statutes is amended to read:

101.143 **(4)** (b) *Eligible costs.* (intro.) ~~Eligible~~ Except as provided in par. (c), eligible costs for an award under par. (a) include actual costs or, if the department establishes a ~~schedule~~ usual and customary cost under par. (cm) for an item, usual and customary costs for the following items ~~only~~:

SECTION 1985w. 101.143 (4) (c) (intro.) of the statutes is amended to read:

101.143 **(4)** (c) *Exclusions from eligible costs.* (intro.) Eligible costs for an award under par. (a) do not include the following, regardless of whether a competitive bidding process is used:

SECTION 1986c. 101.143 (4) (c) 8. of the statutes is renumbered 101.143 (4) (c) 8. (intro.) and amended to read:

101.143 **(4)** (c) 8. (intro.) Interest costs incurred by an applicant that exceed interest at ~~1% over the prime rate, as determined under rules promulgated by the department.~~ the following rate:

SECTION 1986e. 101.143 (4) (c) 8. a. to f. of the statutes are created to read:

101.143 **(4)** (c) 8. a. If the applicant has gross revenues of not more than $5,000,000 in the most recent tax year before the applicant submits a claim, 1% over the prime rate. **Vetoed In Part**

b. If the applicant has gross revenues of more than $5,000,000 but not more than $15,000,000 in the most recent tax year before the applicant submits a claim, the prime rate. **Vetoed In Part**

c. If the applicant has gross revenues of more than $15,000,000 but not more than $25,000,000 in the most recent tax year before the applicant submits a claim, 1% under the prime rate. **Vetoed In Part**

d. If the applicant has gross revenues of more than $25,000,000 but not more than $35,000,000 in the most recent tax year before the applicant submits a claim, 2% under the prime rate. **Vetoed In Part**

e. If the applicant has gross revenues of more than $35,000,000 but not more than $45,000,000 in the most recent tax year before the applicant submits a claim, 3% under the prime rate. **Vetoed In Part**

f. If the applicant has gross revenues of more than $45,000,000 in the most recent tax year before the applicant submits a claim, 4% under the prime rate. **Vetoed In Part**

SECTION 1986g. 101.143 (4) (c) 10. of the statutes is created to read:

101.143 **(4)** (c) 10. Fees charged under sub. (2) (L) or s. 292.55 (2).

SECTION 1986i. 101.143 (4) (c) 11. of the statutes is created to read:

101.143 **(4)** (c) 11. Costs that exceed the amount necessary to comply with sub. (3) (c) 3. and with enforcement standards using the least costly method.

SECTION 1986k. 101.143 (4) (c) 12. of the statutes is created to read:

101.143 **(4)** (c) 12. Costs that are incurred after the date of a notice under sub. (3) (cw) 1. or 2. and that exceed the amount necessary to comply with sub. (3) (c) 3. and with enforcement standards using the method specified in the notice.

SECTION 1986m. 101.143 (4) (cm) of the statutes is renumbered 101.143 (4) (cm) 1. and amended to read: **Vetoed In Part**

101.143 **(4)** (cm) 1. The department ~~may~~ shall establish a schedule of usual and customary costs for ~~any~~ items under par. (b) ~~and may~~ that are commonly associated with claims under this section. The department shall use that schedule to determine the amount of ~~a claimant's~~ eligible costs for an occurrence for which a competitive bidding process is not used, except in circumstances under which higher costs must be incurred to comply with sub. (3) (c) 3. and with enforcement standards. For an occurrence for which a competitive bidding process is used, the department may not use the schedule. In the schedule, the department shall specify the maximum number of reimbursable hours for particular tasks and the maximum reimbursable hourly rates for those tasks. The department shall use methods of data collection and analysis that enable the schedule to be revised to reflect changes in actual costs. This subdivision does not apply after June 30, 2001. **Vetoed In Part**

SECTION 1986p. 101.143 (4) (cm) 2. of the statutes is created to read: **Vetoed In Part**

101.143 **(4)** (cm) 2. The department may establish a schedule of usual and customary costs for any items under par. (b) and may use that schedule to determine the amount of a claimant's eligible costs. This subdivision applies after June 30, 2001.

SECTION 1987b. 101.143 (4) (d) 2. (intro.) of the statutes is amended to read:

101.143 **(4)** (d) 2. (intro.) The department shall issue the award under this paragraph without regard to fault in an amount equal to the amount of the eligible costs that exceeds ~~a~~ the deductible amount ~~of $2,500 plus 5% of the eligible costs, but not more than $7,500 per occurrence, except that the deductible amount for a petroleum product storage system that is owned by a school district or a technical college district and that is used for storing heating oil for consumptive use on the premises is 25% of eligible costs~~ under par. (dg). An award issued under this paragraph may not exceed the following for each occurrence:

SECTION 1991c. 101.143 (4) (dg) of the statutes is created to read:

101.143 **(4)** (dg) *Deductible; underground systems.* The amount of the deductible for an award under par. (d) is as follows for each occurrence:

1. Except as provided under par. (di), for an owner or operator of an underground petroleum product storage tank system that is located at a facility at which petroleum is stored for resale or an owner or operator of an underground petroleum product storage tank system that handles an annual average of more than 10,000 gallons of petroleum per month, $3,000 plus 3% of the amount by which eligible costs exceed $60,000. **Vetoed In Part**

2. For a school district or a technical college district with respect to a discharge from an underground petroleum product storage tank system that is used for storing heating oil for consumptive use on the premises, 25% of eligible costs.

3. For the owner or operator of a petroleum product storage system that is described in par. (ei) 1., $5,000. **Vetoed In Part**

4. For an owner or operator other than an owner or operator described in subd. 1., 2. or 3., $2,500, plus 5% of eligible costs, but not more than $7,500. **Vetoed In Part**

SECTION 1992c. 101.143 (4) (di) of the statutes is created to read:

101.143 **(4)** (di) *Rules concerning deductible for underground systems.* The department may promulgate rules describing a class of owners and operators of underground petroleum product storage tank systems otherwise subject to par. (dg) 1. for whom the deductible is the amount under par. (dg) 4. rather than the amount under par. (dg) 1. if the class is based on financial hardship or consists of local governmental units that are conducting remedial action as part of projects to redevelop brownfields, as defined in s. 560.13 (1) (a). **Vetoed In Part** **Vetoed In Part**

SECTION 1993c. 101.143 (4) (dm) 2. a. of the statutes is amended to read:

101.143 **(4)** (dm) 2. a. For the owner or operator of a terminal, $15,000 plus ~~5%~~ 10% of the amount by which eligible costs exceed $200,000.

SECTION 1993f. 101.143 (4) (dm) 2. c. of the statutes is amended to read:

101.143 **(4)** (dm) 2. c. For the owner or operator of a petroleum product storage system that is described in par. (ei) 1., ~~$2,500 plus 5% of eligible costs but not more than $7,500~~ $5,000 per occurrence. **Vetoed In Part**

SECTION 1993m. 101.143 (4) (ei) 2. of the statutes is repealed and recreated to read:

101.143 **(4)** (ei) 2. The department shall review claims related to discharges from farm tanks described in subd. 1. as soon as the claims are received. The department shall issue an award for an eligible discharge from a farm tank described in subd. 1. as soon as it completes the review of the claim.

SECTION 1994. 101.143 (9m) of the statutes is created to read:

101.143 **(9m)** REVENUE OBLIGATIONS. (a) For purposes of subch. II of ch. 18, the petroleum storage remedial action program is a special fund program, and the petroleum inspection fund is a special fund. The petroleum inspection fund is a segregated fund created by the imposition of fees, penalties or excise taxes. The legislature finds and determines that a nexus exists between the petroleum storage remedial action program and the petroleum inspection fund in that fees imposed on users of petroleum are used to remedy environmental damage caused by petroleum storage.

(b) Deposits, appropriations or transfers to the petroleum inspection fund for the purposes of the petroleum storage remedial action program may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18.

(e) The department shall have all other powers necessary and convenient to distribute the special fund revenues and to distribute the proceeds of the revenue obligations in accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18.

(f) The department may enter into agreements with the federal government or its agencies, political subdivisions of this state, individuals or private entities to insure or in any other manner provide additional security for the revenue obligations issued under this subsection.

(g) 1. Subject to the limitation under subd. 2., the building commission shall contract revenue obligations under this subsection, as soon as practicable after the effective date of this subdivision .... [revisor inserts date], in the maximum amount that the building commission believes can be fully paid on a timely basis from moneys received or anticipated to be received.

2. Revenue obligations issued under this subsection may not exceed $270,000,000 in principal amount. In addition to this limit on principal amount, the building commission may contract revenue obligations under this subsection as the building commission determines is desirable to fund or refund outstanding revenue obligations, to pay issuance or administrative expenses, to make deposits to reserve funds or to pay accrued or capitalized interest.

(h) Unless otherwise expressly provided in resolutions authorizing the issuance of revenue obligations or in other agreements with the owners of revenue obligations, each issue of revenue obligations under this subsection shall be on a parity with every other revenue obligation issued under this subsection and in accordance with subch. II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV of ch. 18.

(i) Recognizing its moral obligation to do so, the legislature expresses its expectation and aspiration that, if the legislature reduces the rate of the petroleum inspection fee and if the funds in the petroleum inspection fund are insufficient to pay the principal and interest on the revenue obligations issued under subch. II or IV of ch. 18 pursuant to this subsection, the legislature shall make an appropriation from the general fund sufficient to pay the principal and interest on the obligations.

SECTION 1994m. 101.143 (11) of the statutes is created to read:

101.143 **(11)** REPORTS. No later than each January 1 and July 1, the department of commerce and the department of natural resources shall submit the the governor, to the joint legislative audit committee, to the joint committee on finance and to the appropriate standing committees of the legislature, under s. 13.172 (3), a report on the program under this section. The departments shall include all of the following information in the report:

(a) All of the following information for each petroleum product storage system and home oil tank system from which a discharge has occurred for which remedial action activities are being conducted:

1. The date on which the record of the site investigation was received.

2. The environmental risk factors, as defined by the department of commerce by rule, identified at the site.

3. The year in which the approval under sub. (3) (c) 4. is expected to be issued.

(am) The number of notices received under sub. (3) (a) 3. and the number of approvals given under sub. (3) (c) 4.

(b) The percentage of sites classified as high risk under s. 101.144.

(c) The name of each person providing engineering consulting services to a claimant under this section and the number of claimants to whom the person has provided those services.

(d) The charges for engineering consulting services for sites for which approvals are given under sub. (3) (c) 4. and for other sites.

(e) The charges by service providers other than engineering consultants for services for which reimbursement is provided under this section, including excavating, hauling, laboratory testing and landfill disposal.

(em) Whether disputes have arisen between the departments under sub. (3) (cw) 2. and, if so, how those disputes have been resolved.

(f) Strategies for recording and monitoring complaints of fraud in the program under this section and for the use of employes of the department of commerce who conduct audits to identify questionable claims and investigate complaints.

SECTION 1995p. 101.144 (1) (ae) of the statutes is created to read:

101.144 **(1)** (ae) "Enforcement standard" has the meaning given in s. 160.01 (2).

SECTION 1995r. 101.144 (1) (aq) of the statutes is created to read:

Vetoed In Part

101.144 **(1)** (aq) Except as provided under sub. (3g), "high–risk site" means the site of a discharge of a petroleum product from a petroleum storage tank if the discharge has resulted in a concentration of contaminants that exceeds an enforcement standard in soil that has a hydraulic conductivity of $1x10^{-5}$ centimeters per second or if at least one of the following applies:

1. Repeated tests show that the discharge has resulted in a concentration of contaminants in a well used to provide water for human consumption that exceeds a preventive action limit, as defined in s. 160.01 (6).

2. Petroleum product that is not in dissolved phase is present with a thickness of 0.01 feet or more, as shown by repeated measurements.

3. An enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide water for human consumption.

4. An enforcement standard is exceeded in fractured bedrock.

SECTION 1996c. 101.144 (2) (b) 1. of the statutes is amended to read:

101.144 **(2)** (b) 1. The site of the discharge is classified, as provided under sub. (3m) (a) 3., as medium ~~priority~~ risk or low ~~priority~~ risk, based on the threat that the discharge poses to public health, safety and welfare and to the environment.

SECTION 1996e. 101.144 (2) (b) 2. of the statutes is amended to read:

101.144 **(2)** (b) 2. The site of the discharge is not contaminated by a hazardous substance other than the petroleum product, including any additive, that was discharged from the petroleum storage tank.

SECTION 1997c. 101.144 (3g) of the statutes is created to read:

101.144 **(3g)** (a) If, on December 1, 1999, more than 35% of sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high–risk sites, the department of commerce and the department of natural resources shall attempt to reach an agreement that specifies standards for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as high risk. The standards shall be designed to classify no more than 35% of those sites as high–risk sites and may not classify all sites at which an enforcement standard is exceeded as high–risk sites. If the department of commerce and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with this paragraph. The department of commerce shall promulgate rules incorporating any agreement between the department of commerce and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

(b) If, 6 months after rules under par. (a) are in effect, more than 35% of the sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high–risk sites, the department of commerce shall revise the rules using the procedure for promulgating the rules in par. (a).

SECTION 1998ac. 101.144 (3m) (a) 3. of the statutes is amended to read:

101.144 **(3m)** (a) 3. Establishes ~~procedures,~~ standards ~~and schedules~~ for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as ~~high priority,~~ medium ~~priority~~ risk or low ~~priority~~ risk and establishes procedures and schedules for classifying sites of discharges of petroleum products from petroleum storage tanks.

SECTION 1998af. 101.63 (3m) of the statutes is created to read:

101.63 **(3m)** Contract with a private organization to provide education regarding construction standards and inspection requirements under this subchapter and under rules promulgated under this subchapter to builders of dwellings in this state. The department may only contract with an organization under this subsection if the organization is described in section 501 (c) (6) of the Internal Revenue Code and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

SECTION 1998ak. 101.651 (title) of the statutes is amended to read:

101.651 (title) **Certain municipalities ~~excepted~~ exempted.**

SECTION 1998ap. 101.651 (1) (title) of the statutes is created to read:

101.651 **(1)** (title) DEFINITION.

SECTION 1998as. 101.651 (2) of the statutes is repealed.

SECTION 1998av. 101.651 (2m) of the statutes is created to read:

101.651 **(2m)** EXEMPTION BY RESOLUTION. A municipality shall exercise jurisdiction over the construction and inspection of new one– and 2–family dwellings by enacting ordinances under s. 101.65 (1) (a) or shall exercise the jurisdiction granted under s. 101.65 (1) (a) jointly under s. 101.65 (1) (b), unless any of the following conditions are met:

(a) The municipality adopts a resolution requesting under sub. (3) (a) that a county enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout the municipality and that a county provide inspection services in the municipality to administer and enforce this

subchapter or an ordinance enacted under s. 101.65 (1) (a).

(b) The municipality adopts a resolution determining not to exercise jurisdiction over the construction and inspection of new one– and 2–family dwellings under s. 101.65 (1) (a), not to exercise jurisdiction jointly under s. 101.65 (1) (b), not to request under sub. (3) (a) that a county enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout the municipality and not to request under sub. (3) (a) that a county provide inspection services in the municipality to administer and enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a).

(c) Under sub. (3) (b), the department enforces this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout the municipality and provides inspection services in the municipality to administer and enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a).

SECTION 1998aw. 101.651 (3) (title) of the statutes is created to read:

101.651 **(3)** (title) DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES; GENERALLY.

SECTION 1998ax. 101.651 (3) of the statutes is renumbered 101.651 (3) (a) and amended to read:

101.651 **(3)** (a) Except as provided in par. (b) or sub. (3m) ~~or (3s)~~, the department or a county may not enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) or provide inspection services in a municipality unless requested to do so by a person with respect to a particular dwelling or by the municipality. A request by a person or a municipality–with respect to a particular dwelling does not give the department or a county authority with respect to any other dwelling. Costs shall be collected under s. 101.65 (1) (c) or ss. 101.63 (9) and 101.65 (2) from ~~the~~ a person or municipality making ~~the~~ a request under this subsection.

SECTION 1998az. 101.651 (3) (b) of the statutes is created to read:

101.651 **(3)** (b) The department shall provide inspection services and shall enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout any municipality that does not exercise jurisdiction under sub. (2m) and that has not adopted a resolution under sub. (2m) (a) or (b).

SECTION 1998bc. 101.651 (3m) (title) of the statutes is created to read:

101.651 **(3m)** (title) AUTHORITY OVER EROSION CONTROL IN TOWNS, UNINCORPORATED AREAS AND CERTAIN EXEMPTED MUNICIPALITIES.

SECTION 1998bg. 101.651 (3m) of the statutes is renumbered 101.651 (3m) (a) and amended to read:

101.651 **(3m)** (a) The department may enforce s. 101.653 in a municipality that ~~does not perform or contract for inspection services under s. 101.65 (1) (a) or (b)~~ adopts a resolution under sub. (2m) (b). A county may enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to construction site erosion in any city or village that ~~does not perform or contract for inspection services under s. 101.65 (1) (a) or (b)~~ adopts a resolution under sub. (2m) (b). The department or the county shall collect a fee for the inspection services under this subsection.

SECTION 1998bL. 101.651 (3s) of the statutes is renumbered 101.651 (3m) (b).

SECTION 1998bp. 101.651 (4) (title) of the statutes is created to read:

101.651 **(4)** (title) DATA RELATING TO HOUSING STARTS IN MUNICIPALITIES.

SECTION 1998bt. 101.651 (5) (title) of the statutes is created to read:

101.651 **(5)** (title) EFFECT OF SECTION ON CERTAIN LAWS.

SECTION 1998bx. 101.651 (6) (title) of the statutes is created to read:

101.651 **(6)** (title) ENERGY CONSERVATION RULES; CONTINUING EFFECT.

SECTION 1998cc. 101.91 (1) of the statutes is renumbered 101.91 (2e).

SECTION 1998cg. 101.91 (1g), (1m), (2g) and (2m) of the statutes are created to read:

101.91 **(1g)** "Delivery date" means the date on which a mobile home is physically delivered to the site chosen by the mobile home owner.

(1m) "License period" means the period during which a license issued under s. 101.951 or 101.952 is effective, as established by the department under s. 101.951 (2) (b) 1. or 101.952 (2) (b) 1.

(2g) "Mobile home dealer" means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in, mobile homes or who is engaged wholly or partially in the business of selling mobile homes, whether or not the mobile homes are owned by the person, but does not include:

(a) A receiver, trustee, administrator, executor, guardian or other person appointed by or acting under the judgment or order of any court.

(b) Any public officer while performing that officer's official duty.

(c) Any employe of a person enumerated in par. (a) or (b).

(d) Any lender, as defined in s. 421.301 (22).

(e) A person transferring a mobile home used for that person's personal, family or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.

(2m) "Mobile home owner" means any person who purchases, or leases from another, a mobile home primarily for use for personal, family or household purposes.

SECTION 1998cL. 101.91 (3) of the statutes is amended to read:

101.91 **(3)** "Mobile home park" ~~has the meaning given in s. 66.058 (1) (e)~~ means any plot or plots of ground upon which 3 or more mobile homes or manufactured homes that are occupied for dwelling or sleeping purposes are located. "Mobile home park" does not include a farm where the occupants of the mobile homes or manufactured homes are the father, mother, son, daughter, brother or sister of the farm owner or operator or where the occupants of the mobile homes or manufactured homes work on the farm.

SECTION 1998cp. 101.91 (4), (5) and (6) of the statutes are created to read:

101.91 **(4)** "Mobile home salesperson" means any person who is employed by a mobile home manufacturer or mobile home dealer to sell or lease mobile homes.

(5) "New mobile home" means a mobile home that has never been occupied, used or sold for personal or business use.

(6) "Used mobile home" means a mobile home that has previously been occupied, used or sold for personal or business use.

SECTION 1998ct. 101.92 (9) of the statutes is created to read:

101.92 **(9)** Shall promulgate rules and establish standards necessary to carry out the purposes of ss. 101.953 and 101.954.

SECTION 1998cx. 101.9202 of the statutes is created to read:

101.9202 Excepted liens and security interests. Sections 101.9203 to 101.9218 do not apply to or affect:

(1) A lien given by statute or rule of law to a supplier of services or materials for the mobile home.

(2) A lien given by statute to the United States, this state or any political subdivision of this state.

(3) A security interest in a mobile home created by a mobile home dealer or manufacturer who holds the mobile home for sale, which shall be governed by the applicable provisions of ch. 409.

SECTION 1998gc. 101.9203 of the statutes is created to read:

101.9203 When certificate of title required. (1) The owner of a mobile home situated in this state or intended to be situated in this state shall make application for certificate of title under s. 101.9209 for the mobile home if the owner has newly acquired the mobile home.

(2) Any owner who situates in this state a mobile home for which a certificate of title is required without such certificate having been issued or applied for, knowing that the certificate of title has not been issued or applied for, may be required to forfeit not more than $200. A certificate is considered to have been applied for when the application accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed and with postage prepaid.

(3) Unless otherwise authorized by rule of the department, a nonresident owner of a mobile home situated in this state may not apply for a certificate of title under this subchapter unless the mobile home is subject to a security interest or except as provided in s. 101.9209 (1) (a).

SECTION 1998gg. 101.9204 of the statutes is created to read:

101.9204 Application for certificate of title. (1) An application for a certificate of title shall be made to the department upon a form or in an automated format prescribed by it and shall be accompanied by the required fee. Each application for certificate of title shall include the following information:

(a) The name and address of the owner.

(b) A description of the mobile home, including make, model, identification number and any other information or documentation that the department may reasonably require for proper identification of the mobile home.

(c) The date of purchase by the applicant, the name and address of the person from whom the mobile home was acquired and the names and addresses of any secured parties in the order of their priority.

(d) If the mobile home is a new mobile home being titled for the first time, the signature of the mobile home dealer. The document of origin shall contain the information specified by the department.

(e) Any further evidence of ownership which the department may reasonably require to enable it to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the mobile home.

(f) If the identification number of the mobile home has been removed, obliterated or altered, or if the original casting has been replaced, or if the mobile home has not been numbered by the manufacturer, the application for certificate of title shall so state.

(g) If the mobile home is a used mobile home which was last previously titled in another jurisdiction, the applicant shall furnish any certificate of ownership issued by the other jurisdiction and a statement pertaining to the title history and ownership of the mobile home, such statement to be in the form that the department prescribes.

(1m) On the form or in the automated format for application for a certificate of title, the department may show the fee under s. 101.9208 (1) (dm) separately from the fee under s. 101.9208 (1) (a) or (d).

(2) Any person who knowingly makes a false statement in an application for a certificate of title may be fined not more than $5,000 or imprisoned for not more than 5 years or both.

SECTION 1998gL. 101.9205 of the statutes is created to read:

101.9205 When department to issue certificate and to whom; maintenance of records. (1) The department shall maintain a record of each application for certificate of title received by it and, when satisfied as to its

genuineness and regularity and that the applicant is entitled to the issuance of a certificate of title, shall issue and deliver a certificate to the owner of the mobile home.

(2) The department shall maintain a record of all applications, and all certificates of title issued by the department, indexed in the following manners:

(a) According to title number.

(b) Alphabetically, according to the name of the owner.

(c) In any other manner which the department determines to be desirable.

(3) The department shall charge a fee of not less than $2 for conducting a file search of mobile home title records.

SECTION 1998gp. 101.9206 of the statutes is created to read:

101.9206 Contents of certificate of title. (1) Each certificate of title issued by the department shall contain all of the following:

(a) The name and address of the owner.

(b) The names of any secured parties in the order of priority as shown on the application or, if the application is based on another certificate of title, as shown on that certificate.

(c) The title number assigned to the mobile home.

(d) A description of the mobile home, including make, model and identification number.

(e) Any other data which the department considers pertinent and desirable.

(2) (a) The certificate of title shall contain spaces for all of the following:

1. Assignment and warranty of title by the owner.

2. Reassignment and warranty of title by a mobile home dealer.

(b) The certificate of title may contain spaces for application for a certificate of title by a transferee and for the naming of a secured party and the assignment or release of a security interest.

(3) (a) Unless the applicant fulfills the requirements of par. (b), the department shall issue a distinctive certificate of title for a mobile home last previously registered in another jurisdiction if the laws of the other jurisdiction do not require that secured parties be named on a certificate of title to perfect their security interests. The certificate shall contain the legend "This mobile home may be subject to an undisclosed security interest" and may contain any other information that the department prescribes. If the department receives no notice of a security interest in the mobile home within 4 months from the issuance of the distinctive certificate of title, the department shall, upon application and surrender of the distinctive certificate, issue a certificate of title in ordinary form.

(b) The department may issue a nondistinctive certificate of title if the applicant fulfills either of the following requirements:

1. The applicant is a mobile home dealer and is financially responsible as substantiated by the last financial statement on file with the department, a finance company licensed under s. 138.09, a bank organized under the laws of this state, or a national bank located in this state.

2. The applicant has filed with the department a bond in the form prescribed by the department and executed by the applicant, and either accompanied by the deposit of cash with the department or also executed by a person authorized to conduct a surety business in this state. The bond shall be in an amount equal to 1.5 times the value of the mobile home as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the mobile home or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney fees, by reason of the issuance of the certificate of title of the mobile home or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the mobile home. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of title could then be issued for the mobile home.

(4) A certificate of title issued by the department is prima facie evidence of the facts appearing on it.

(5) The department may issue a certificate of title in an automated format.

SECTION 1998gt. 101.9207 of the statutes is created to read:

101.9207 Lost, stolen or mutilated certificates. (1) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal representative of the owner named in the certificate, as shown by the records of the department, shall promptly make application for and may obtain a replacement upon furnishing information satisfactory to the department. The replacement certificate of title shall contain the legend "This is a replacement certificate and may be subject to the rights of a person under the original certificate".

(2) A person recovering an original certificate of title for which a replacement has been issued shall promptly surrender the original certificate to the department.

SECTION 1998gx. 101.9208 of the statutes is created to read:

101.9208 Fees. (1) The department shall be paid the following fees:

(a) For filing an application for the first certificate of title, $8.50, by the owner of the mobile home.

(b) Upon filing an application under sub. (1) or (4) before the first day of the 2nd month beginning after the

effective date of this subsection .... [revisor inserts date], an environmental impact fee of $5, by the person filing the application. Upon filing an application under sub. (1) or (4) on or after the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $6, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management.

(c) For the original notation and subsequent release of each security interest noted upon a certificate of title, a single fee of $4 by the owner of the mobile home.

(d) For a certificate of title after a transfer, $8.50, by the owner of the mobile home.

(dm) Upon filing an application under par. (a) or (d), a supplemental title fee of $7.50 by the owner of the mobile home, except that this fee shall be waived with respect to an application under par. (d) for transfer of a decedent's interest in a mobile home to his or her surviving spouse. The fee specified under this paragraph is in addition to any other fee specified in this section.

(f) For each assignment of a security interest noted upon a certificate of title, $1 by the assignee.

(g) For a replacement certificate of title, $8, by the owner of the mobile home.

(h) For processing applications for certificates of title which have a special handling request for fast service, a fee established by the department by rule, which fee shall approximate the cost to the department for providing this special handling service to persons so requesting.

(i) For the reinstatement of a certificate of title previously suspended or revoked, $25.

(2) All fees collected under sub. (1), except fees collected under sub. (1) (b), shall be deposited in the transportation fund.

SECTION 1998Lc. 101.9209 of the statutes is created to read:

101.9209 Transfer of interest in a mobile home. (1) (a) If an owner transfers an interest in a mobile home, other than by the creation of a security interest, the owner shall, at the time of the delivery of the mobile home, execute an assignment and warranty of title to the transferee in the space provided therefor on the certificate, and cause the certificate to be mailed or delivered to the transferee.

(b) Any person who holds legal title of a mobile home with one or more other persons may transfer ownership of the mobile home under this subsection if legal title to the mobile home is held in the names of such persons in the alternative, including a mobile home held in a form designating the holder by the words "(name of one person) or (name of other person)".

(2) Promptly after delivery to him or her of the mobile home, the transferee shall execute the application for a new certificate of title in the space provided therefor on the certificate or as the department prescribes, and cause the certificate and application to be mailed or delivered to the department.

(3) A transfer by an owner is not effective until the provisions of this section have been complied with. An owner who has delivered possession of the mobile home to the transferee and has complied with the provisions of this section requiring action by him or her is not liable as owner for any damages thereafter resulting from use of the mobile home.

(4) Any owner of a mobile home for which a certificate of title has been issued, who upon transfer of the mobile home fails to execute and deliver the assignment and warranty of title required by sub. (1), may be required to forfeit not more than $500.

(5) (a) Any transferee of a mobile home who fails to make application for a new certificate of title immediately upon transfer to him or her of a mobile home may be required to forfeit not more than $200.

(b) Any transferee of a mobile home who, with intent to defraud, fails to make application for a new certificate of title immediately upon transfer to him or her of a mobile home may be fined not more than $1,000 or imprisoned for not more than 30 days or both.

(c) A certificate is considered under this subsection to have been applied for when the application accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid.

SECTION 1998Lg. 101.921 of the statutes is created to read:

101.921 Transfer to or from dealer. (1) (a) Except as provided in par. (b), if a mobile home dealer acquires a mobile home and holds it for resale or accepts a mobile home for sale on consignment, the mobile home dealer may not submit to the department the certificate of title or application for certificate of title naming the mobile home dealer as owner of the mobile home. Upon transferring the mobile home to another person, the mobile home dealer shall immediately give the transferee, on a form prescribed by the department, a receipt for all title, security interest and sales tax moneys paid to the mobile home dealer for transmittal to the department when required. The mobile home dealer shall promptly execute the assignment and warranty of title, showing the name and address of the transferee and of any secured party holding a security interest created or reserved at the time of the resale or sale on consignment, in the spaces provided therefor on the certificate or as the department prescribes. Within 7 business days following the sale or transfer, the mobile home dealer shall mail or deliver the certificate or application for certificate to the department with the transferee's application for a new certificate. A nonresident who purchases a mobile home from a mobile home dealer in this state may not, unless otherwise authorized by rule of the department, apply for a certificate of

title issued for the mobile home in this state unless the mobile home dealer determines that a certificate of title is necessary to protect the interests of a secured party. The mobile home dealer is responsible for determining whether a certificate of title and perfection of security interest is required. The mobile home dealer is liable for any damages incurred by the department or any secured party for the mobile home dealer's failure to perfect a security interest which the mobile home dealer had knowledge of at the time of sale.

(b) Except when all available spaces for a mobile home dealer's reassignment on a certificate of title have been completed or as otherwise authorized by rules of the department, a mobile home dealer who acquires a mobile home and holds it for resale or accepts a mobile home for sale on consignment may not apply for a certificate of title naming the mobile home dealer as owner of the mobile home.

(c) Unless exempted by rule of the department, a mobile home dealer who acquires a mobile home and holds it for resale shall make application for a certificate of title naming the mobile home dealer as owner of the mobile home when all of the available spaces for a mobile home dealer's reassignment on the certificate of title for such mobile home have been completed.

(2) Every mobile home dealer shall maintain for 5 years a record of every mobile home bought, sold or exchanged, or received for sale or exchange. The record shall be open to inspection by a representative of the department or by a peace officer during reasonable business hours. The dealer shall maintain the record in the form prescribed by the department.

(3) Any mobile home dealer who fails to comply with this section may be required to forfeit not more than $200.

SECTION 1998LL. 101.9211 of the statutes is created to read:

101.9211 Involuntary transfers. (1) If the interest of an owner in a mobile home passes to another other than by voluntary transfer, the transferee shall, except as provided in sub. (2), promptly mail or deliver to the department the last certificate of title, if available, and the documents required by the department to legally effect such transfer, and an application for a new certificate in the form that the department prescribes.

(2) If the interest of the owner is terminated or the mobile home is sold under a security agreement by a secured party named in the certificate of title, the transferee shall promptly mail or deliver to the department the last certificate of title, an application for a new certificate in the form that the department prescribes, and a statement made by or on behalf of the secured party that the mobile home was repossessed and that the interest of the owner was lawfully terminated or sold under the terms of the security agreement.

(3) A person holding a certificate of title whose interest in the mobile home has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate to the department upon request of the department. The delivery of the certificate pursuant to the request of the department does not affect the rights of the person surrendering the certificate, and the action of the department in issuing a new certificate of title is not conclusive upon the rights of an owner or secured party named in the old certificate.

(4) (a) In all cases of the transfer of a mobile home owned by a decedent, except under par. (b), ward, trustee or bankrupt, the department shall accept as sufficient evidence of the transfer of ownership all of the following:

1. Evidence satisfactory to the department of the issuance of the letters of administration, letters testamentary, letters of guardianship, letters of trust or appointment of the trustee in bankruptcy.

2. The title executed by such administrator, executor, guardian or trustee.

(b) 1. The department shall transfer the decedent's interest in any mobile home to his or her surviving spouse upon receipt of the title executed by the surviving spouse and a statement by the spouse which shall state all of the following:

a. The date of death of the decedent.

b. The approximate value and description of the mobile home.

c. That the spouse is personally liable for the decedent's debts and charges to the extent of the value of the mobile home, subject to s. 859.25.

2. The transfer shall not affect any liens upon the mobile home.

3. Except as provided in subd. 4., this paragraph is limited to no more than 5 mobile homes titled in this state that are less than 20 years old at the time of the transfer under this paragraph. There is no limit on transfer under this paragraph of mobile homes titled in this state that are 20 or more years old at the time of transfer under this paragraph.

4. The limit in subd. 3. does not apply if the surviving spouse is proceeding under s. 867.03 (1g) and the total value of the decedent's solely owned property in the state, including the mobile homes transferred under this paragraph, does not exceed $10,000.

(c) Upon compliance with this subsection, the department shall bear neither liability nor responsibility for the transfer of such mobile homes in accordance with this section.

(d) This subsection does not apply to transfer of interest in a mobile home under s. 101.9209 (1) (b).

SECTION 1998Lp. 101.9212 of the statutes is created to read:

101.9212 When department to issue a new certificate. (1) The department, upon receipt of a properly

assigned certificate of title, with an application for a new certificate of title, the required fee and any other transfer documents required by law, to support the transfer, shall issue a new certificate of title in the name of the transferee as owner.

(2) The department, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. If the transfer constituted a termination of the owner's interest or a sale under a security agreement by a secured party named in the certificate, under s. 101.9211 (2), the new certificate shall be issued free of the names and addresses of the secured party who terminated the owner's interest and of all secured parties subordinate under s. 101.9213 to such secured party. If the outstanding certificate of title is not delivered to it, the department shall make demand therefor from the holder of such certificate.

(3) The department shall retain for 5 years a record of every surrendered certificate of title, the record to be maintained so as to permit the tracing of title of the mobile home designated therein.

SECTION 1998Lt. 101.9213 of the statutes is created to read:

101.9213 Perfection of security interests. (1) Unless excepted by s. 101.9202, a security interest in a mobile home of a type for which a certificate of title is required is not valid against creditors of the owner or subsequent transferees or secured parties of the mobile home unless perfected as provided in ss. 101.9202 to 101.9218.

(2) Except as provided in sub. (3), a security interest is perfected by the delivery to the department of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the secured party, and the required fee. The security interest is perfected as of the time of its creation if such delivery is completed within 10 days after the time that the security interest is created, and without regard to the limitations expressed in s. 409.301 (2). If the delivery is not completed within 10 days after the time that the security interest is created, the security interest is perfected as of the time of such delivery.

(3) If a secured party whose name and address is contained on the certificate of title for a mobile home acquires a new or additional security interest in the mobile home, such security interest is perfected at the time of its attachment under s. 409.203.

(4) An unperfected security interest is subordinate to the rights of persons described in s. 409.301.

(5) The rules of priority stated in s. 409.312, and the other sections therein referred to, shall, to the extent appropriate, apply to conflicting security interests in a mobile home of a type for which a certificate of title is required, or in a previously certificated mobile home, as defined in s. 101.9222 (1). A security interest perfected under this section or under s. 101.9222 (4) or (5) is a security interest perfected otherwise than by filing for purposes of s. 409.312.

(6) The rules stated in ss. 409.501 to 409.507 governing the rights and duties of secured parties and debtors and the requirements for, and effect of, disposition of a mobile home by a secured party, upon default shall, to the extent appropriate, govern the rights of secured parties and owners with respect to security interests in mobile homes perfected under ss. 101.9202 to 101.9218.

(7) If a mobile home is subject to a security interest when brought into this state, s. 409.103 (1), (2) and (3) states the rules which apply to determine the validity and perfection of the security interest in this state.

(8) Upon request of a person who has perfected a security interest under this section, as shown by the records of the department, in a mobile home titled in this state, whenever the department receives information from another state that the mobile home is being titled in the other state and the information does not show that the security interest has been satisfied, the department shall notify the person. The person shall pay the department a $2 fee for each notification.

SECTION 1998Lx. 101.9214 of the statutes is created to read:

101.9214 Duties on creation of security interest. If an owner creates a security interest in a mobile home, unless the name and address of the secured party already is contained on the certificate of title for the mobile home:

(1) The owner shall immediately execute, in the space provided therefor on the certificate of title or on a separate form or in an automated format prescribed by the department, an application to name the secured party on the certificate, showing the name and address of the secured party, and cause the certificate, application and the required fee to be delivered to the secured party.

(2) The secured party shall immediately cause the certificate, the application and the required fee to be mailed or delivered to the department.

(3) Upon receipt of the certificate of title, the application and the required fee, the department shall issue to the owner a new certificate containing the name and address of the new secured party. The department shall deliver to the new secured party and to the register of deeds of the county of the owner's residence memoranda, in such form as the department prescribes, evidencing the notation of the security interest upon the certificate; and thereafter, upon any assignment, termination or release of the security interest, additional memoranda evidencing such action.

(4) The register of deeds may record, and maintain a file of, all memoranda received from the department under sub. (3). Such recording, however, is not required for perfection, release or assignment of security interests,

which shall be effective upon compliance with ss. 101.9213 (2), 101.9215 and 101.9216 (1) and (2).

SECTION 1998pc. 101.9215 of the statutes is created to read:

101.9215 Assignment of security interest. (1) A secured party may assign, absolutely or otherwise, the party's security interest in the mobile home to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the secured party as the holder of the security interest and the secured party remains liable for any obligations as a secured party until the assignee is named as secured party on the certificate.

(2) The assignee may but need not, to perfect the assignment, have the certificate of title endorsed or issued with the assignee named as secured party, upon delivering to the department the certificate and an assignment by the secured party named in the certificate in the form that the department prescribes.

SECTION 1998pg. 101.9216 of the statutes is created to read:

101.9216 Release of security interest. (1) Within one month or within 10 days following written demand by the debtor after there is no outstanding obligation and no commitment to make advances, incur obligations or otherwise give value, secured by the security interest in a mobile home under any security agreement between the owner and the secured party, the secured party shall execute and deliver to the owner, as the department prescribes, a release of the security interest in the form and manner prescribed by the department and a notice to the owner stating in no less than 10–point boldface type the owner's obligation under sub. (2). If the secured party fails to execute and deliver the release and notice of the owner's obligation as required by this subsection, the secured party is liable to the owner for $25 and for any loss caused to the owner by the failure.

(2) The owner, other than a mobile home dealer holding the mobile home for resale, upon receipt of the release and notice of obligation shall promptly cause the certificate and release to be mailed or delivered to the department, which shall release the secured party's rights on the certificate and issue a new certificate.

(3) The department may remove information pertaining to a security interest perfected under s. 101.9213 from its records when 20 years after the original perfection has elapsed unless the security interest is renewed in the same manner as provided in s. 101.9213 (2) for perfection of a security interest.

(4) Removal of information pertaining to a security interest from the records of the department under sub. (3) does not affect any security agreement between the owner of a mobile home and the holder of security interest in the mobile home.

SECTION 1998pL. 101.9217 of the statutes is created to read:

101.9217 Secured party's and owner's duties. (1) A secured party named in a certificate of title shall, upon written request of the owner or of another secured party named on the certificate, disclose any pertinent information as to the party's security agreement and the indebtedness secured by it.

(2) (a) An owner shall promptly deliver the owner's certificate of title to any secured party who is named on it or who has a security interest in the mobile home described in it under any other applicable prior law of this state, upon receipt of a notice from such secured party that the security interest is to be assigned, extended or perfected. Any owner who fails to deliver the certificate of title to a secured party requesting it under this paragraph shall be liable to such secured party for any loss caused to the secured party thereby and may be required to forfeit not more than $200.

(b) No secured party may take possession of any certificate of title except as provided in par. (a). Any person who violates this paragraph may be required to forfeit not more than $1,000.

(3) Any secured party who fails to disclose information under sub. (1) shall be liable for any loss caused to owner thereby.

SECTION 1998pp. 101.9218 of the statutes is created to read:

101.9218 Method of perfecting exclusive. The method provided in ss. 101.921 to 101.9218 of perfecting and giving notice of security interests subject to ss. 101.921 to 101.9218 is exclusive. Security interests subject to ss. 101.921 to 101.9218 are hereby exempted from the provisions of law which otherwise require or relate to the filing of instruments creating or evidencing security interests.

SECTION 1998pt. 101.9219 of the statutes is created to read:

101.9219 Withholding certificate of title; bond. (1) The department may not issue a certificate of title until the outstanding evidence of ownership is surrendered to the department.

(2) If the department is not satisfied as to the ownership of the mobile home or that there are no undisclosed security interests in it, the department, subject to sub. (3), shall either:

(a) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the department as to the applicant's ownership of the mobile home and that there are no undisclosed security interests in it; or

(b) Issue a distinctive certificate of title pursuant to s. 101.9206 (3) or 101.9222 (3).

(3) Notwithstanding sub. (2), the department may issue a nondistinctive certificate of title if the applicant fulfills either of the following requirements:

(a) The applicant is a mobile home dealer licensed under s. 101.951 and is financially responsible as substantiated by the last financial statement on file with the department, a finance company licensed under s. 138.09 or 218.01, a bank organized under the laws of this state, or a national bank located in this state.

(b) The applicant has filed with the department a bond in the form prescribed by the department and executed by the applicant, and either accompanied by the deposit of cash with the department or also executed by a person authorized to conduct a surety business in this state. The bond shall be in an amount equal to 1.5 times the value of the mobile home as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the mobile home or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney fees, by reason of the issuance of the certificate of title of the mobile home or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the mobile home. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of title could then be issued for the mobile home, or if the currently valid certificate of title for the mobile home is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

SECTION 1998px. 101.922 of the statutes is created to read:

101.922 Suspension or revocation of certificate. (1) The department shall suspend or revoke a certificate of title if it finds any of the following:

(a) That the certificate of title was fraudulently procured, erroneously issued or prohibited by law.

(b) That the mobile home has been scrapped, dismantled or destroyed.

(c) That a transfer of title is set aside by a court of record by order or judgment.

(2) Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.

(3) When the department suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the department.

(4) The department may seize and impound any certificate of title which has been suspended or revoked.

SECTION 1998tc. 101.9221 of the statutes is created to read:

101.9221 Grounds for refusing issuance of certificate of title. The department shall refuse issuance of a certificate of title if any required fee has not been paid or for any of the following reasons:

(1) The department has reasonable grounds to believe that:

(a) The person alleged to be the owner of the mobile is not the owner.

(b) The application contains a false or fraudulent statement.

(2) The applicant has failed to furnish any of the following:

(a) If applicable, the power of attorney required under 15 USC 1988 or rules of the department.

(b) Any other information or documents required by law or by the department pursuant to authority of law.

(3) The applicant is a mobile home dealer and is prohibited from applying for a certificate of title under s. 101.921 (1) (a) or (b).

(4) Except as provided in ss. 101.9203 (3) and 101.921 (1) (a) for a certificate of title and registration for a mobile home owned by a nonresident, the applicant is a nonresident and the issuance of a certificate of title has not otherwise been authorized by rule of the department.

SECTION 1998tg. 101.9222 of the statutes is created to read:

101.9222 Previously certificated mobile homes. (1) In this section, "previously certificated mobile home" means a mobile home for which a certificate of title has been issued by the department of transportation prior to July 1, 2000.

(2) Sections 101.9213 to 101.9218 do not apply to a previously certificated mobile home until one of the following occurs:

(a) There is a transfer of ownership of the mobile home.

(b) The department of commerce issues a certificate of title of the mobile home under this chapter.

(3) If the department is not satisfied that there are no undisclosed security interests, created before July 1, 2000, in a previously certificated mobile home, the department shall, unless the applicant fulfills the requirements of s. 101.9219 (3), issue a distinctive certificate of title of the mobile home containing the legend "This mobile home may be subject to an undisclosed security interest" and any other information that the department prescribes.

(4) After July 1, 2000, a security interest in a previously certificated vehicle may be created and perfected only by compliance with ss. 101.9213 and 101.9218.

(5) (a) If a security interest in a previously certificated mobile home is perfected under any other applicable law of this state on July 1, 2000, the security interest continues perfected:

1. Until its perfection lapses under the law under which it was perfected, or until its perfection would lapse in the absence of a further filing or renewal of filing, whichever occurs sooner.

2. If, before the security interest lapses as described in subd. 1., there is delivered to the department the existing certificate of title together with the application and fee required by s. 101.9214 (1). In such case the department shall issue a new certificate pursuant to s. 101.9214 (3).

(b) If a security interest in a previously certificated mobile home was created, but was unperfected, under any other applicable law of this state on July 1, 2000, it may be perfected under par. (a), but such perfection dates only from the date of the department's receipt of the certificate.

SECTION 1998tp. 101.94 (8) (a) of the statutes is amended to read:

101.94 **(8)** (a) ~~A~~ Except as provided in par. (c), a person who violates this subchapter ~~or~~, a rule promulgated under this subchapter or an order issued under this subchapter shall forfeit not more than $1,000 for each violation. Each violation of this subchapter constitutes a separate violation with respect to each manufactured home or mobile home or with respect to each failure or refusal to allow or perform an act required by this subchapter, except the maximum forfeiture under this subsection may not exceed $1,000,000 for a related series of violations occurring within one year of the first violation.

SECTION 1998tt. 101.94 (8) (c) of the statutes is created to read:

101.94 **(8)** (c) A person who violates s. 101.935, a rule promulgated under s. 101.935 or an order issued under s. 101.935 may be required to forfeit not less than $10 nor more than $250 for each violation. Each day of continued violation constitutes a separate violation.

SECTION 1998tx. 101.951 of the statutes is created to read:

101.951 Mobile home dealers regulated. (1) No person may engage in the business of selling mobile homes to a consumer or to the retail market in this state unless first licensed to do so by the department as provided in this section.

(2) (a) Application for a license or a renewal license shall be made to the department on forms prescribed and furnished by the department, accompanied by the license fee required under par. (c) or (d).

(b) 1. The department shall, by rule, establish the license period under this section.

2. The department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(c) Except as provided in par. (d), the fee for a license issued under this section equals $50 multiplied by the number of years in the license period. The fee shall be prorated if the license period is not evenly divisible into years.

(d) If the department issues a license under this section during the license period, the fee for the license shall equal $50 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

(3) The department shall issue a license only to a person whose character, fitness and financial ability, in the opinion of the department, are such as to justify the belief that the person can and will deal with and serve the buying public fairly and honestly, will maintain a permanent office and place of business in this state during the license year and will abide by all of the provisions of law and lawful orders of the department.

(5) A licensee shall conduct the licensed business continuously during the license year.

(6) The department may deny, suspend or revoke a license on any of the following grounds:

(a) Proof of unfitness.

(b) A material misstatement in the application for the license.

(c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

(d) Wilful failure to comply with any provision of this section or any rule promulgated by the department under this section.

(e) Wilfully defrauding any retail buyer to the buyer's damage.

(f) Wilful failure to perform any written agreement with any retail buyer.

(g) Failure or refusal to furnish and keep in force any bond required.

(h) Having made a fraudulent sale, transaction or repossession.

(i) Fraudulent misrepresentation, circumvention or concealment, through any subterfuge or device, of any of the material particulars or the nature thereof required hereunder to be stated or furnished to the retail buyer.

(j) Use of fraudulent devices, methods or practices in connection with compliance with the statutes with respect to the retaking of goods under retail instalment contracts and the redemption and resale of such goods.

(k) Having indulged in any unconscionable practice relating to said business.

(m) Having sold a retail instalment contract to a sales finance company, as defined in s. 218.01 (1) (v), that is not licensed under s. 218.01.

(n) Having violated any law relating to the sale, distribution or financing of mobile homes.

(7) (a) The department of commerce may, without notice, deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for the denial. Within 30 days after such notice, the applicant may petition the department of administration to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to denials of applications for licenses under s. 101.02 (21).

(b) No license may be suspended or revoked except after a hearing thereon. The department of commerce shall give the licensee at least 5 days' notice of the time and place of the hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the department of commerce, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department of commerce shall be heard and decided upon by the department of administration. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to licenses that are suspended or revoked under s. 101.02 (21).

(c) The department of commerce may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the department, and the department may maintain an action for the recovery of such costs in any court of competent jurisdiction.

(8) Any person who violates any provision of this section shall be fined not less than $25 nor more than $100 for each offense.

SECTION 1998xc. 101.952 of the statutes is created to read:

101.952 Mobile home salespersons regulated. (1) No person may engage in the business of selling mobile homes to a consumer or to the retail market in this state without a license therefor from the department. If a mobile home dealer acts as a mobile home salesperson the dealer shall secure a mobile home salesperson's license in addition to the license for engaging as a mobile home dealer.

(2) (a) Applications for a mobile home salesperson's license and renewals thereof shall be made to the department on such forms as the department prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d). The application shall include the applicant's social security number. In addition, the application shall require such pertinent information as the department requires.

(b) 1. The department shall, by rule, establish the license period under this section.

2. The department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(c) Except as provided in par. (d), the fee for a license issued under this section equals $4 multiplied by the number of years in the license period. The fee shall be prorated if the license period is not evenly divisible into years.

(d) If the department issues a license under this section during the license period, the fee for the license shall equal $4 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

(3) Every licensee shall carry his or her license when engaged in his or her business and display the same upon request. The license shall name his or her employer, and, in case of a change of employer, the mobile home salesperson shall immediately mail his or her license to the department, which shall endorse that change on the license without charge.

(5) The provision of s. 218.01 (3) relating to the denial, suspension and revocation of a motor vehicle salesperson's license shall apply to the denial, suspension and revocation of a mobile home salesperson's license so far as applicable, except that such provision does not apply to the denial, suspension or revocation of a license under s. 101.02 (21) (b).

(6) The provisions of s. 218.01 (3) (g) and (5) shall apply to this section, mobile home sales practices and the regulation of mobile home salespersons, as far as applicable.

SECTION 1998xg. 101.953 of the statutes is created to read:

101.953 Warranty and disclosure. (1) A one–year written warranty is required for every new mobile home sold, or leased to another, by a mobile home manufacturer, mobile home dealer or mobile home salesperson in this state, and for every new mobile home sold by any person who induces a resident of the state to enter into the transaction by personal solicitation in this state or by mail or telephone solicitation directed to the particular consumer in this state. The warranty shall state all of the following:

(a) That the mobile home meets those standards prescribed by law or administrative rule of the department of administration or of the department of commerce, which are in effect at the time of the manufacture of the mobile home.

(b) That the mobile home is free from defects in material and workmanship and is reasonably fit for

human habitation if it receives reasonable care and maintenance as defined by rule of the department.

(c) 1. That the mobile home manufacturer and mobile home dealer shall take corrective action for defects which become evident within one year from the delivery date and as to which the mobile home owner has given notice to the manufacturer or dealer not later than one year and 10 days after the delivery date and at the address set forth in the warranty; and that the mobile home manufacturer and mobile home dealer shall make the appropriate adjustments and repairs, within 30 days after notification of the defect, at the site of the mobile home without charge to the mobile home owner. If the mobile home dealer makes the adjustment, the mobile home manufacturer shall fully reimburse the dealer.

2. If a repair, replacement, substitution or alteration is made under the warranty and it is discovered, before or after expiration of the warranty period, that the repair, replacement, substitution or alteration has not restored the mobile home to the condition in which it was warranted except for reasonable wear and tear, such failure shall be considered a violation of the warranty and the mobile home shall be restored to the condition in which it was warranted to be at the time of the sale except for reasonable wear and tear, at no cost to the purchaser or the purchaser's assignee notwithstanding that the additional repair may occur after the expiration of the warranty period.

(d) That if during any period of time after notification of a defect the mobile home is uninhabitable, as defined by rule of the department, that period of time shall not be considered part of the one–year warranty period.

(e) A list of all parts and equipment not covered by the warranty.

(2) Action by a lessee to enforce the lessee's rights under this subchapter shall not be grounds for termination of the rental agreement.

(3) The warranty required under this section shall apply to the manufacturer of the mobile home as well as to the mobile home dealer who sells or leases the mobile home to the consumer, and shall be in addition to any other rights and privileges that the consumer may have under any instrument or law. The waiver of any remedies under any law and the waiver, exclusion, modification or limitation of any warranty, express or implied, including the implied warranty of merchantability and fitness for a particular purpose, is expressly prohibited. Any such waiver is void.

(4) The transfer of a mobile home from one mobile home owner to another during the effective period of the warranty does not terminate the warranty, and subsequent mobile home owners shall be entitled to the full protection of the warranty for the duration of the warranty period as if the original mobile home owner had not transferred the mobile home.

SECTION 1998xL. 101.954 of the statutes is created to read:

101.954 Sale or lease of used mobile homes. In the sale or lease of any used mobile home, the sales invoice or lease agreement shall contain the point of manufacture of the used mobile home, the name of the manufacturer and the name and address of the previous mobile home owner.

SECTION 1998xp. 101.955 of the statutes is created to read:

101.955 Jurisdiction and venue over out–of–state manufacturers. (1) The importation of a mobile home for sale in this state by an out–of–state manufacturer is considered an irrevocable appointment by that manufacturer of the department of financial institutions to be that manufacturer's true and lawful attorney upon whom may be served all legal processes in any action or proceeding against such manufacturer arising out of the importation of such mobile home into this state.

(2) The department of financial institutions upon whom processes and notices may be served under this section shall, upon being served with such process or notice, mail a copy by registered mail to the out–of–state manufacturer at the nonresident address given in the papers so served. The original shall be returned with proper certificate of service attached for filing in court as proof of service. The service fee shall be $4 for each defendant so served. The department of financial institutions shall keep a record of all such processes and notices, which record shall show the day and hour of service.

SECTION 1998xt. 101.965 of the statutes is created to read:

101.965 Penalties. (1) Any person who violates ss. 101.953 to 101.955, or any rule promulgated under ss. 101.953 to 101.955, may be fined not more than $1,000 or imprisoned for not more than 6 months or both.

(2) In any court action brought by the department for violations of this subchapter, the department may recover all costs of testing and investigation, in addition to costs otherwise recoverable, if it prevails in the action.

(3) Nothing in this subchapter prohibits the bringing of a civil action against a mobile home manufacturer, mobile home dealer or mobile home salesperson by an aggrieved consumer. If judgment is rendered for the consumer based on an act or omission by the mobile home manufacturer, mobile home dealer or mobile home salesperson, which constituted a violation of this subchapter, the plaintiff shall recover actual and proper attorney fees in addition to costs otherwise recoverable.

SECTION 1999. 102.01 (2) (d) of the statutes is amended to read:

102.01 **(2)** (d) "Municipality" includes <u>a</u> county, city, town, village, school district, sewer district, drainage district <u>and family care district</u> 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 2000m. 102.17 (1) (cg) 1. of the statutes is amended to read:

102.17 **(1)** (cg) 1. ~~The~~ Except as provided in subd. 2m., the department shall require each applicant for a license under par. (c) who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a license under par. (c) who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the license.

SECTION 2000n. 102.17 (1) (cg) 2. of the statutes is amended to read:

102.17 **(1)** (cg) 2. ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a license under par. (c) to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to the department and may not issue or renew a license under par. (c) to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to the department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under subd. 2m.

SECTION 2000p. 102.17 (1) (cg) 2m. of the statutes is created to read:

102.17 **(1)** (cg) 2m. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A license issued in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 2000q. 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 2002c. 102.27 (2) (a) of the statutes, as affected by 1999 Wisconsin Act .... (this act), 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)~~,~~ or 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 2003m. 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 2005c. 103.275 (2) (bg) 1. of the statutes is amended to read:

103.275 **(2)** (bg) 1. ~~The~~ Except as provided in subd. 2m., the department shall require each applicant for a house–to–house employer certificate under this subsection who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a house–to–house employer certificate

who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the house–to–house employer certificate.

SECTION 2005d. 103.275 (2) (bg) 2. of the statutes is amended to read:

103.275 **(2)** (bg) 2. ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a house–to–house employer certificate under this subsection to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to the department and may not issue or renew a house–to–house employer certificate under this subsection to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to the department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under subd. 2m.

SECTION 2005e. 103.275 (2) (bg) 2m. of the statutes is created to read:

103.275 **(2)** (bg) 2m. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A house–to–house employer certificate issued in reliance upon a false statement submitted under this subdivision is invalid.

Vetoed In Part

SECTION 2005f. 103.49 (5) (a) of the statutes is amended to read:

103.49 **(5)** (a) Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor. If requested by any person, a contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall permit that person to inspect and copy any of those records to the same extent as the department would be required to permit inspection and copying of those records under ss. 19.31 to 19.39 if those records were in the custody of the department.

SECTION 2005g. 103.50 (7m) of the statutes is created to read:

103.50 **(7m)** RECORDS; INSPECTION. Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor. If requested by any person, a contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall permit that person to inspect and copy any of those records to the same extent as the department of transportation would be required to permit inspection and copying of those records under ss. 19.31 to 19.39 if those records were in the custody of the department of transportation.

Vetoed In Part

SECTION 2005hd. 103.91 (2) (b) 1. of the statutes is amended to read:

103.91 **(2)** (b) 1. ~~The~~ Except as provided in subd. 2m., the department shall require each applicant for a certificate under par. (a) who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a certificate under par. (a) who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the certificate.

SECTION 2005hf. 103.91 (2) (b) 2. of the statutes is amended to read:

103.91 **(2)** (b) 2. ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a certificate under par. (a) to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to the department and may not issue or renew a certificate under par. (a) to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to the department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under subd. 2m.

SECTION 2005hg. 103.91 (2) (b) 2m. of the statutes is created to read:

103.91 **(2)** (b) 2m. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A certificate issued under par. (a) in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 2005hi. 103.92 (1) (b) 1. of the statutes is amended to read:

103.92 **(1)** (b) 1. ~~The~~ Except as provided in subd. 2m., the department shall require each applicant for a certificate under par. (a) who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a certificate under

par. (a) who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the certificate.

SECTION 2005hj. 103.92 (1) (b) 2. of the statutes is amended to read:

103.92 **(1)** (b) 2. ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a certificate under par. (a) to or for ~~an~~ the applicant w~~ho is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to the department and may not issue or renew a certificate under par. (a) to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to the department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under subd. 2m.

SECTION 2005hk. 103.92 (2) (b) 2m. of the statutes is created to read:

103.92 **(2)** (b) 2m. If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A certificate issued under par. (a) in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 2005hm. 104.07 (4) (a) of the statutes is amended to read:

104.07 **(4)** (a) ~~The~~ Except as provided in par. (bm), the department shall require each applicant for a license under sub. (1) or (2) who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a license under sub. (1) or (2) who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the license.

SECTION 2005hn. 104.07 (4) (b) of the statutes is amended to read:

104.07 **(4)** (b) ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a license under sub. (1) or (2) to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to the department and may not issue or renew a license under sub. (1) or (2) to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to the department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (bm).

SECTION 2005hp. 104.07 (4) (bm) of the statutes is created to read:

104.07 **(4)** (bm) If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A license issued under sub. (1) or (2) in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 2005hs. 105.06 (1m) (a) of the statutes is amended to read:

105.06 **(1m)** (a) ~~The~~ Except as provided in par. (bm), the department shall require each applicant for a license under sub. (1) who is an individual to provide the department with the applicant's social security number, and shall require each applicant for a license under sub. (1) who is not an individual to provide the department with the applicant's federal employer identification number, when initially applying for or applying to renew the license.

SECTION 2005ht. 105.06 (1m) (b) of the statutes is amended to read:

105.06 **(1m)** (b) ~~The~~ If an applicant who is an individual fails to provide the applicant's social security number to the department or if an applicant who is not an individual fails to provide the applicant's federal employer identification number to the department, the department may not issue or renew a license under sub. (1) to or for ~~an~~ the applicant ~~who is an individual~~ unless the applicant ~~has provided the applicant's~~ is an individual who does not have a social security number ~~to the department and may not issue or renew a license under sub. (1) to or for an applicant who is not an individual unless the applicant has provided the applicant's federal employer identification number to the department~~ and the applicant submits a statement made or subscribed under oath or affirmation as required under par. (bm).

SECTION 2005hu. 105.06 (1m) (bm) of the statutes is created to read:

105.06 **(1m)** (bm) If an applicant who is an individual does not have a social security number, the applicant shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department. A license issued under sub. (1) in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 2005k. 106.11 (title) of the statutes is amended to read:

106.11 (title) **~~Employment and training~~ Workforce investment programs.**

SECTION 2005m. 106.11 of the statutes, as affected by 1999 Wisconsin Act .... (this act), sections 2005k, 2005p and 2005r, is amended to read:

106.11 Workforce investment programs. The department shall cooperate with the federal government in carrying out the purposes of the ~~federal Job Training Partnership Act, 29 USC 1501 to 1781, and the~~ federal Workforce Investment Act of 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~those acts~~ that act the department shall, in cooperation with other state agencies and with local workforce development boards established under 29 USC 2832, establish a statewide workforce investment system to meet the employment, training and educational needs of persons in this state.

SECTION 2005p. 106.11 (1) of the statutes is amended to read:

106.11 **(1)** The department shall cooperate with the federal government in carrying out the purposes of the federal ~~job training partnership act~~ Job Training Partnership Act, 29 USC 1501 to 1781, and the federal Workforce Investment Act of 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~that act~~ those acts the department shall, in cooperation with other state agencies and with ~~private industry councils~~ local workforce development boards established under 29 USC 2832, establish a statewide ~~coordinated employment and training delivery~~ workforce investment system to meet the employment, training and educational needs of persons in this state.

SECTION 2005r. 106.11 (1) of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 2005p, is renumbered 106.11.

SECTION 2005t. 106.11 (2) of the statutes is repealed.

SECTION 2005v. 106.11 (3) of the statutes is repealed.

SECTION 2005x. 106.115 of the statutes is repealed.

SECTION 2012. 106.12 (title) of the statutes is amended to read:

106.12 (title) **~~Division of connecting education and work~~ Governor's work–based learning board.**

SECTION 2013. 106.12 of the statutes is renumbered 106.12 (2) and amended to read:

106.12 **(2)** EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~Based on the recommendations of the governor's council on workforce excellence, the division of connecting education and work~~ The board shall plan, coordinate, administer and implement ~~the department's workforce excellence initiatives, programs, policies and funding,~~ the youth apprenticeship ~~and~~, school–to–work and work–based learning programs under s. 106.13 (1) and such other employment and education programs as the governor may by executive order assign to the ~~division~~ board. Notwithstanding any limitations placed on the use of state employment and education funds under this section or s. 106.13~~, 106.14, 106.15, 106.20 or 106.21~~ or under an executive order assigning an employment and education program to the ~~division~~ board, the ~~secretary~~ board may issue a general or special order waiving any of those limitations on finding that the waiver will promote the coordination of employment and education services.

SECTION 2014. 106.12 (1) of the statutes is created to read:

106.12 **(1)** DEFINITION. In this section and s. 106.13, "board" means the governor's work–based learning board.

SECTION 2015. 106.12 (3) of the statutes is created to read:

106.12 **(3)** EXECUTIVE DIRECTOR. The governor shall appoint an executive director of the board outside the classified service to serve at the pleasure of the governor. The executive director shall be in charge of the board's administrative functions.

SECTION 2016. 106.13 (title) of the statutes is amended to read:

106.13 (title) **Youth apprenticeship ~~and~~, school–to–work and work–based learning programs.**

SECTION 2017d. 106.13 (1) of the statutes is renumbered 106.13 (1) (intro.) and amended to read:

106.13 **(1)** (intro.) The ~~department~~ board shall provide ~~a~~ all of the following:

(a) A youth apprenticeship program ~~and a~~ that includes the grant programs under subs. (3) and (4).

(b) 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).

SECTION 2017g. 106.13 (1) (c) of the statutes is created to read:

106.13 **(1)** (c) A work–based learning program for youths who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619 that includes a component that would permit a participant to earn a youth apprenticeship skills certificate through participation in that program if the participant meets the requirements for earning that certificate.

SECTION 2017j. 106.13 (1) (d) of the statutes is created to read: **Vetoed In Part**

106.13 **(1)** (d) A work–based learning program for students of a tribal college as provided under sub. (4r).

SECTION 2018. 106.13 (2) of the statutes is amended to read:

106.13 **(2)** The ~~governor's council on workforce excellence~~ council on workforce investment established under 29 USC 2821, the technical college system board and the department of public instruction shall assist the ~~department of workforce development~~ board in providing the youth apprenticeship program ~~and~~, the school–to–work program and the work–based learning program under sub. (1).

SECTION 2019d. 106.13 (2m) of the statutes is amended to read:

106.13 **(2m)** ~~After reviewing the recommendations of the governor's council on workforce excellence under s. 106.115 (2) (e), the department~~ The board shall approve occupations and maintain a list of approved occupations for the youth apprenticeship program and shall approve statewide skill standards for the school–to–work program. From the appropriation under s. 20.445 ~~(1) (ev)~~ (7) (a), the ~~department~~ board shall develop curricula for youth apprenticeship programs for occupations approved under this subsection.

SECTION 2020. 106.13 (3m) of the statutes is created to read:

106.13 **(3m)** (a) In this subsection, "local partnership" means one or more school districts, or any combination of one or more school districts, other public agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4) (a) 1., individuals or other persons, who have agreed to be responsible for implementing and coordinating a local youth apprenticeship program.

(b) From the appropriation under s. 20.445 (7) (b), the board shall award grants to applying local partnerships for the implementation and coordination of local youth apprenticeship programs. A local partnership shall include in its grant application the identity of each public agency, nonprofit organization, individual and other person who is a participant in the local partnership, a plan to accomplish the implementation and coordination activities specified in subds. 1. to 6. and the identity of a fiscal agent who shall be responsible for receiving, managing and accounting for the grant moneys received under this paragraph. A local partnership that is awarded a grant under this paragraph may use the grant moneys awarded for any of the following implementation and coordination activities:

1. Recruiting employers to provide on–the–job training and supervision for youth apprentices and providing technical assistance to those employers.

2. Recruiting students to participate in the local youth apprenticeship program and monitoring the progress of youth apprentices participating in the program.

3. Coordinating youth apprenticeship training activities within participating school districts and among participating school districts, postsecondary institutions and employers.

4. Coordinating academic, vocational and occupational learning, school–based and work–based learning and secondary and postsecondary education for participants in the local youth apprenticeship program.

5. Assisting employers in identifying and training workplace mentors and matching youth apprentices and mentors.

6. Any other implementation or coordination activity that the board may direct or permit the local partnership to perform.

SECTION 2021. 106.13 (4) (b) of the statutes is amended to read:

106.13 **(4)** (b) From the appropriation under s. 20.445 ~~(1)~~ (7) (em), the ~~department~~ board may award a grant to a public agency or a nonprofit organization, or to an employer that is responsible for the on–the–job training and supervision of a youth apprentice. A public agency or non–profit organization that receives a grant under this subsection shall use the funds awarded under the grant to award training grants to employers that provide on–the–job training and supervision for youth apprentices. Subject to par. (c), a training grant provided under this subsection may be awarded to an employer for each youth apprentice who receives at least 180 hours of paid on–the–job training from the employer during a school year, as defined in s. 115.001 (13). The amount of a training grant may not exceed $500 per youth apprentice per school year. A training grant may not be awarded for any specific youth apprentice for more than 2 school years.

SECTION 2022. 106.13 (4) (c) of the statutes is amended to read:

106.13 **(4)** (c) Notwithstanding par. (b), the ~~department~~ board may award a training grant under this subsection to an employer that provides less than 180 hours of paid on–the–job training for a youth apprentice during a school year, as defined in s. 115.001 (13), if the ~~department~~ board determines that it would be beneficial for the youth apprentice to receive on–the–job training from more than one employer.

SECTION 2023m. 106.13 (4r) of the statutes is created to read: **Vetoed In Part**

106.13 **(4r)** From the appropriation under s. 20.445 (7) (kd), the board may award a grant to an applying tribal college that is recognized as a land grant college under 7 USC 301, as amended to October 20, 1994, for the provision of work–based learning programs for students of the tribal college if the board approves the application of the tribal college.

SECTION 2024. 106.13 (5) of the statutes is amended to read:

106.13 **(5)** The ~~department~~ board shall promulgate rules to administer this section.

SECTION 2024t. 106.14 (title) of the statutes is amended to read:

106.14 (title) **~~Career~~ Job centers and career counseling centers.**

SECTION 2025d. 106.14 (1) of the statutes, as affected by 1997 Wisconsin Act 27, section 2679, is amended to read:

106.14 **(1)** The department ~~may award grants to nonprofit corporations and public agencies for the provision of~~ shall provide a job center network throughout the state through which job seekers may receive comprehensive career planning, job placement and job training information. As part of the job center network, the department

shall provide career counseling centers ~~throughout the state~~ at which youths may receive the services specified in sub. (2).

SECTION 2026d. 106.14 (3) of the statutes is repealed.

SECTION 2027b. 106.14 (4) of the statutes is repealed.

SECTION 2027d. 106.15 (1) (a) of the statutes is amended to read:

106.15 **(1)** (a) "Council" means the ~~governor's council on workforce excellence established under 29 USC 1792~~ council on workforce investment established under 29 USC 2821.

SECTION 2027f. 106.15 (1) (b) of the statutes is amended to read:

106.15 **(1)** (b) "Dislocated worker" has the meaning ~~established by the department by rule in substantial conformance with 29 USC 1652 (a)~~ given in 29 USC 2801 (9).

SECTION 2027h. 106.15 (1) (c) of the statutes is amended to read:

106.15 **(1)** (c) "Dislocated worker committee" means the committee or other subunit of the council that ~~deals with the dislocated workers program under 29 USC 1651 to 1662b~~ assists the governor in providing employment and training activities to dislocated workers under 29 USC 2862 to 2864.

SECTION 2027j. 106.15 (1) (d) of the statutes is amended to read:

106.15 **(1)** (d) "~~Substate~~ Local plan" means a ~~substate~~ local plan required under ~~29 USC 1661b (a)~~ 29 USC 2833 as a condition for a grant.

SECTION 2027m. 106.15 (3) (intro.) of the statutes is amended to read:

106.15 **(3)** GRANTS. (intro.) From the appropriation under s. 20.445 (1) (bc), (jm), (mb) and (mc), the department shall make grants to persons providing employment and training activities to dislocated workers ~~programs offering training and related employment services~~ including but not limited to the following:

SECTION 2027p. 106.15 (4) of the statutes is amended to read:

106.15 **(4)** GRANT APPROVAL. ~~No grant may be awarded~~ The department may award a grant under this section ~~unless~~ only if both of the following occur:

(a) The dislocated workers committee approves the ~~substate~~ local plan or application for funding and refers its decision to the secretary.

(b) After receiving a referral under par. (a), the secretary approves the ~~substate~~ local plan or application for funding.

SECTION 2027r. 106.15 (5) (intro.) of the statutes is amended to read:

106.15 **(5)** ~~SUBSTATE~~ LOCAL PLAN OR APPLICATION REVIEW. (intro.) In reviewing ~~substate~~ local plans and applications for funding under this section, the dislocated workers committee and the secretary shall consider all of the following:

SECTION 2027t. 106.15 (6) of the statutes is amended to read:

106.15 **(6)** RULE MAKING. The department shall ~~adopt~~ promulgate rules to administer this section. The rules shall address eligible applicants and program providers, application requirements, criteria and procedures for awarding grants, reporting and auditing procedures and administrative operations.

SECTION 2027v. 106.15 (7) of the statutes is amended to read:

106.15 **(7)** FUNDING. From the amounts appropriated under s. 20.445 (1) (ma), (mb) and (mc), all moneys received under ~~29 USC 1651 to 1661c~~ 29 USC 2862 to 2864 shall be expended to fund grants and operations under this section.

SECTION 2027x. 106.16 (2) of the statutes is amended to read:

106.16 **(2)** Any company that receives a loan or grant from a state agency or an authority under ch. 231 or 234 shall notify the department and the ~~area private industry council under the job training partnership act, 29 USC 1501 to 1798~~ local workforce development board established under 29 USC 2832, of any position in the company that is related to the project for which the grant or loan is received to be filled in this state within one year after receipt of the loan or grant. The company shall provide this notice at least 2 weeks prior to advertising the position.

SECTION 2028. 106.18 of the statutes is repealed.

SECTION 2029c. 106.215 (10) (g) 1. of the statutes is amended to read:

106.215 **(10)** (g) 1. A person who is employed as a corps enrollee for a 6–month to one–year period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation upon termination of employment is entitled to an incentive payment of $500 prorated in the same proportion as the number of hours of employment completed by that person bears to 2,080 hours ~~or an education voucher that is worth at least double the monetary value of the prorated incentive payment, but not more than $2,600 prorated in the same proportion as the number of hours of employment completed by that person bears to 2,080 hours. No corps enrollee may receive more than 2 incentive payments or 4 education vouchers~~.

SECTION 2029g. 106.215 (10) (g) 1m. of the statutes is created to read:

106.215 **(10)** (g) 1m. In lieu of the incentive payment under subd. 1., a person who is employed as a corps enrollee for at least a 6–month period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation is entitled to an education voucher that is worth at least double the monetary value of the prorated incentive

payment under subd. 1., but not more than $2,800 prorated in the same proportion as the number of hours of employment completed by that person bears to 2,080 hours.

SECTION 2029n. 106.215 (10) (g) 2. of the statutes is amended to read:

106.215 **(10)** (g) 2. The board may authorize a partial incentive payment ~~or education voucher~~ to a person who is employed as a corps enrollee and who receives a satisfactory employment evaluation upon termination of employment if the person is employed as a corps enrollee for less than a one–year period of continuous employment and the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee or if the person is employed as a corps enrollee for at least 10 months but less than a one–year period of continuous employment and the board determines that employment was terminated in order to enable the person to attend an institution of higher education, technical college or other training program or to enable the person to obtain other employment.

SECTION 2029r. 106.215 (10) (g) 2m. of the statutes is created to read:

106.215 **(10)** (g) 2m. In lieu of a partial incentive payment under subd. 2, the board may authorize a partial education voucher to a person who is employed as a corps enrollee and who receives a satisfactory employment evaluation upon termination of employment if the person is employed as a corps enrollee for less than a 6–month period of continuous employment and the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee.

SECTION 2029w. 106.215 (10) (g) 4. of the statutes is created to read:

106.215 **(10)** (g) 4. No corps enrollee may receive more than 2 incentive payments or 4 education vouchers under this paragraph.

SECTION 2029x. 108.04 (16) (c) of the statutes is amended to read:

108.04 **(16)** (c) Benefits may not be denied to an otherwise eligible individual under par. (a) who is enrolled in a program under the plan of any state for training for dislocated workers under ~~29 USC 1661~~ 29 USC 2822, notwithstanding the failure of such training to meet any of the requirements of par. (a) 1. to 4.

Vetoed In Part

SECTION 2029y. 108.07 (8) (b) of the statutes is amended to read:

108.07 **(8)** (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01, and has employment with an employer other than the department of corrections ~~or a private business leasing space within a state prison under s. 303.01 (2) (em)~~, and the claimant's employment terminates because conditions of incarceration or supervision make it impossible to continue the employment, the department shall charge to the fund's balancing account any benefits based on the terminated employment that are otherwise chargeable to the account of an employer that is subject to the contribution requirements under ss. 108.17 and 108.18.

Vetoed In Part

SECTION 2030m. 109.09 (1) of the statutes is amended to read:

Vetoed In Part

109.09 **(1)** The department shall investigate and attempt equitably to adjust controversies between employers and employes as to alleged wage claims. The department may receive and investigate any wage claim which is filed with the department, or received by the department under s. 109.10 (4), no later than 2 years after the date the wages are due. The department may, after receiving a wage claim, investigate any wages due from the employer against whom the claim is filed to any employe during the period commencing 2 years before the date the claim is filed. The department shall enforce this chapter and ss. 20.924 (1) (j) 3., 66.293, 103.02, 103.49, 103.82 and 104.12. In pursuance of this duty, the department may sue the employer on behalf of the employe to collect any wage claim or wage deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions under s. 109.10, the department may refer such an action to the district attorney of the county in which the violation occurs for prosecution and collection and the district attorney shall commence an action in the circuit court having appropriate jurisdiction. Any number of wage claims or wage deficiencies against the same employer may be joined in a single proceeding, but the court may order separate trials or hearings. In actions that are referred to a district attorney under this subsection, any taxable costs recovered by the district attorney shall be paid into the general fund of the county in which the violation occurs and used by that county to meet its financial responsibility under s. 978.13 (2) for the operation of the office of the district attorney who prosecuted the action.

SECTION 2030t. 109.09 (2) (c) of the statutes is amended to read:

109.09 **(2)** (c) A lien under par. (a) takes precedence over all other debts, judgments, decrees, liens or mortgages against the employer ~~that originate after the lien takes effect as provided in par. (b) 1. or 2.~~, except a lien of a financial institution, as defined in s. 69.30 (1) (b), that originates before the lien under par. (a) takes effect or a lien under s. 292.31 (8) (i) or 292.81~~, and~~. A lien under par. (a) may be enforced in the manner provided in ss. 779.09 to 779.12, 779.20 and 779.21, insofar as those provisions are applicable. The lien ceases to exist if the department of workforce development or the employe does not bring an action to enforce the lien within the period prescribed in s. 893.44 for the underlying wage claim.

SECTION 2031. 110.07 (1) (a) (intro.) of the statutes is amended to read:

110.07 **(1)** (a) (intro.) The secretary shall employ not ~~to exceed 385~~ more than 399 traffic officers. ~~Such~~ The state traffic patrol consists of the traffic officers, ~~in addition to~~ the person designated to head them whose position shall be in the classified service~~, shall constitute the~~ and, if certified under s. 165.85 (4) (b) 1. as qualified to be a law enforcement officer, the division administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic patrol. The division administrator may not be counted under this paragraph. Members of the state traffic patrol~~, and~~ shall:

SECTION 2032. 110.07 (6) of the statutes is created to read:

110.07 **(6)** The division administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic patrol shall be designated superintendent of the state traffic patrol, if he or she is certified under s. 165.85 (4) (b) 1. as qualified to be a law enforcement officer.

Vetoed In Part

SECTION 2033m. 111.322 (2m) (c) of the statutes is amended to read:

111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right under s. 20.924 (1) (j) 3., 66.293 or 103.49 or testifies or assists in any action or proceeding under s. 20.924 (1) (j) 3., 66.293 or 103.49.

SECTION 2033p. 111.35 (2) (d) of the statutes is amended to read:

111.35 **(2)** (d) Constitutes a violation of s. ~~938.983~~ 254.92 (2).

SECTION 2033r. 111.70 (1) (dm) of the statutes is amended to read:

111.70 **(1)** (dm) "Economic issue" means ~~any issue that creates a new or increased financial liability upon the municipal employer, including~~ salaries, overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing allowances in excess of the actual cost of clothing, length–of–service credit, continuing education credit, shift premium pay, longevity pay, extra duty pay, performance bonuses, health insurance, life insurance, dental insurance, disability insurance, vision insurance, long–term care insurance, worker's compensation and unemployment insurance, social security benefits, vacation pay, holiday pay, lead worker pay, temporary assignment pay, retirement contributions, supplemental retirement benefits, severance or other separation pay, hazardous duty pay, certification or license payment, ~~job security provisions,~~ limitations on layoffs that create a new or increased financial liability on the employer and contracting or subcontracting of work that would otherwise be performed by municipal employes in the collective bargaining unit with which there is a labor dispute.

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 2035m. 111.70 (1) (nc) 1. c. of the statutes is amended to read:

111.70 **(1)** (nc) 1. c. A proposal to provide for an average salary increase for each 12–month period covered by the proposed collective bargaining agreement, beginning with the expiration date of any previous collective bargaining agreement, for the municipal employes in the collective bargaining unit at least equivalent to an average cost of 2.1% of the total compensation and fringe benefit costs for all municipal employes in the collective bargaining unit for each 12–month period covered by the proposed collective bargaining agreement plus any fringe benefit savings, beginning with the expiration date of any previous collective bargaining agreement, including that percentage required to provide for any step increase ~~and any increase due to a promotion or the attainment of increased professional qualifications~~, as determined under sub. (4) (cm) 8s., unless the increased cost of providing such a salary increase, as determined under sub. (4) (cm) 8s., exceeds 2.1% of the total compensation and fringe benefit costs for all municipal employes in the collective bargaining unit for any 12–month period covered by the proposed collective bargaining agreement plus any fringe benefit savings, or unless the increased cost required to maintain the percentage contribution by the municipal employer to the municipal employes' existing fringe benefit costs and to maintain all fringe benefits provided to the municipal employes, as determined under sub. (4) (cm) 8s., in addition to the increased cost of providing such a salary increase, exceeds 3.8% of the total compensation and fringe benefit costs for all municipal employes in the collective bargaining unit for any 12–month period covered by the collective bargaining agreement, in which case the offer shall include provision for a salary increase for each such period for the municipal employes covered by the agreement at least equivalent to an average of that percentage, if any, for each such period of the prorated portion of 2.1% of the total compensation and fringe benefit costs for all municipal employes in the collective bargaining unit plus any fringe benefit savings that remains, if any, after the increased cost of such maintenance exceeding 1.7% of the total compensation and fringe benefit costs for all municipal employes in the collective bargaining unit for each 12–month period and the cost of a salary increase of at least one full step for each municipal employe in the collective bargaining unit who is eligible for a within range salary increase for each 12–month period is subtracted from that total cost.

SECTION 2036m. 111.70 (4) (cm) 5s. of the statutes is amended to read:

111.70 **(4)** (cm) 5s. 'Issues subject to arbitration.' In a collective bargaining unit consisting of school district professional employes, the municipal employer or the labor organization may petition the commission to determine whether the municipal employer has submitted a qualified economic offer. The commission shall appoint an investigator for that purpose. If the investigator finds that the municipal employer has submitted a qualified economic offer, the investigator shall determine whether a deadlock exists between the parties with respect to all economic issues. If the municipal employer submits a qualified economic offer applicable to any period beginning on or after July 1, 1993, no economic issues are subject to interest arbitration under subd. 6. for that period, except that only the impact of contracting out or subcontracting work that would otherwise be performed by municipal employes in the collective bargaining unit is subject to interest arbitration under subd. 6. In such a collective bargaining unit, economic issues concerning the wages, hours or conditions of employment of the school district professional employes in the unit for any period prior to July 1, 1993, are subject to interest arbitration under subd. 6. for that period. In such a collective bargaining unit, noneconomic issues applicable to any period on or after July 1, 1993, are subject to interest arbitration after the parties have reached agreement and stipulate to agreement on all economic issues concerning the wages, hours or conditions of employment of the school district professional employes in the unit for that period. In such a collective bargaining unit, if the commission's investigator finds that the municipal employer has submitted a qualified economic offer and that a deadlock exists between the parties with respect to all economic issues, the municipal employer may implement the qualified economic offer. On the 90th day prior to expiration of the period included within the qualified economic offer, if no agreement exists on that day, the parties are deemed to have stipulated to the inclusion in a new or revised collective bargaining agreement of all provisions of any predecessor collective bargaining agreement concerning economic issues, or of all provisions of any existing collective bargaining agreement concerning economic issues if the parties have reopened negotiations under an existing agreement, as modified by the terms of the qualified economic offer and as otherwise modified by the parties. In such a collective bargaining unit, on and after that 90th day, a municipal employer that refuses to bargain collectively with respect to the terms of that stipulation, applicable to the 90–day period prior to expiration of the period included within the qualified economic offer, does not violate sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the 90–day period prior to expiration of the period included within a qualified economic offer, operates as a full, final and complete settlement of all economic issues between the parties for the period included within the qualified economic offer. The failure of a labor organization to recognize the validity of such a lawful qualified economic offer does not affect the obligation of the municipal employer to submit economic issues to arbitration under subd. 6.

SECTION 2037c. 111.91 (2) (r) of the statutes is created to read:

111.91 **(2)** (r) The requirements under s. 609.10 related to offering a point–of–service option plan.

SECTION 2039. 114.20 (11) of the statutes is amended to read:

114.20 **(11)** ISSUANCE OF CERTIFICATE OF REGISTRATION; DISPLAY OF CERTIFICATE; REFUNDS. Upon payment of a registration fee or transfer of registration fee, the department shall issue evidence of registration which shall be displayed at all times in the manner prescribed by the department. A refund may be made for aircraft registration fees paid in error as determined by the department. ~~Refunds under this section shall be paid out of the appropriation under s. 20.395 (4) (aq).~~

SECTION 2039g. 114.31 (3) of the statutes is renumbered 114.31 (3) (a).

SECTION 2039h. 114.31 (3) (b) of the statutes is created to read:

114.31 **(3)** (b) From the appropriation under s. 20.395 (2) (ds), the department shall administer an aviation career education program to provide training and apprenticeship opportunities associated with aviation careers for socially and economically disadvantaged youth.

SECTION 2040. 115.28 (24) of the statutes is amended to read:

115.28 **(24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to local community organizations under sub. (21) and to school boards under ss. 115.36 and ~~115.362~~ 115.361, and in awarding grants from federal funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 1602 (b) (1), to programs that provide more than one of the educational services specified under sub. (21), s. 115.36, ~~115.362~~ 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC 4601 to 4665 or 29 USC 1602 (b) (1).

SECTION 2040d. 115.28 (24) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

115.28 **(24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to local community organizations under sub. (21) and to school boards under ss. 115.36 and 115.361, and in awarding grants from federal funds received under 20 USC 2301 to 2471, 20 USC 4601 to 4665 and ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B), to programs that provide more than one of the educational services specified under sub. (21), s. 115.36, 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC 4601 to 4665 or ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B).

SECTION 2041. 115.28 (25) of the statutes is created to read:

115.28 **(25)** SCHOOL TECHNOLOGY RESOURCE GRANTS. Consult with the technology for educational achievement in Wisconsin board before awarding school technology resource grants under 20 USC 6842.

SECTION 2041m. 115.28 (26) of the statutes is created to read:

115.28 **(26)** PERIODICAL AND REFERENCE INFORMATION DATA BASES. Contract with one or more persons to provide statewide access, through the Internet, to periodical and reference information data bases.

SECTION 2042. 115.28 (39) of the statutes is amended to read:

115.28 **(39)** ALCOHOL AND OTHER DRUG ABUSE REPORT. By July 1, 1998, and biennially by July 1 thereafter, evaluate the effectiveness of the programs under ss. 115.36~~,~~ and 115.361 ~~and 115.362~~ and submit a report to the legislature under s. 13.172 (2). To satisfy this reporting requirement as it pertains to s. 115.361, the department may incorporate into the report under this subsection the report required under s. 115.361 ~~(7) (c)~~ (2).

Vetoed In Part

SECTION 2042e. 115.28 (42) of the statutes is created to read:

115.28 (42) FOREIGN LANGUAGE INSTRUCTION GRANTS. Beginning in the 2000–01 fiscal year, award at least one grant in each fiscal year, on a competitive basis, to a school board or board of control of a cooperative educational service agency for the development and implementation of a foreign language instruction program in a public school in grades kindergarten to 6. The department shall award the grants from the appropriation under s. 20.255 (2) (fL). The department shall promulgate rules to implement and administer this subsection.

SECTION 2042g. 115.28 (43) of the statutes is created to read:

115.28 **(43)** SCHOOL SAFETY FUNDING. With the department of justice, seek and apply for federal funds relating to school safety and reducing violence and disruption in schools, including funds for alternative schools or programs. Each department shall make a report by January 1, 2001, and January 1, 2003, of its progress in applying for and obtaining funds under this subsection. The report shall be provided to the legislature in the manner provided under s. 13.172 (2) to the cochairpersons of the joint committee on finance and to the governor.

SECTION 2042m. 115.28 (44) of the statutes is created to read:

Vetoed In Part

115.28 **(44)** DIRECT INSTRUCTION PROGRAM. From the appropriation under s. 20.255 (1) (me), award a grant of $280,000 annually in the 1999–2000, 2000–01, 2001–02 and 2002–03 fiscal years to the University of Wisconsin–Milwaukee to conduct a direct instruction pilot program. The purpose of the program shall be to determine the efficiency of direct instruction in improving the ability of children to read. By August 1 of 2000, 2001, 2002 and 2003, the University of Wisconsin–Milwaukee shall submit a report to the appropriate standing committees of the legislature under s. 13.172, and to the state superintendent, that describes the findings and conclusions of the study.

SECTION 2042n. 115.31 (1) (b) of the statutes is amended to read:

115.31 **(1)** (b) "Educational agency" means a school district, cooperative educational service agency, state correctional institution under s. 302.01, secured correctional facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in s. 938.02 (15g), the ~~Wisconsin school for the visually handicapped~~ Wisconsin Center for the Blind and Visually Impaired, the Wisconsin ~~school~~ School for the ~~deaf~~ Deaf, the Mendota mental health institute, the Winnebago mental health institute, a state center for the developmentally disabled, a private school or a private, nonprofit, nonsectarian agency under contract with a school board under s. 118.153 (3) (c).

SECTION 2042s. 115.341 of the statutes is repealed and recreated to read:

115.341 School breakfast program. (1) From the appropriation under s. 20.255 (2) (cm), the state superintendent shall reimburse each school board 10 cents for each breakfast served at a school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever is applicable, and shall reimburse each governing body of a private school 10 cents for each breakfast served at the private school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever is applicable.

(2) If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient to pay the full amount of aid under this section, the state superintendent shall prorate state aid payments among the school boards and governing bodies of private schools entitled to the aid.

SECTION 2043. 115.355 of the statutes is amended to read:

115.355 Assistance to schools for instruction on adoption. The department shall annually and upon request disseminate to appropriate public school staff information about materials and services available through the state adoption center under s. ~~48.551~~ 48.55 which may serve as resources for instruction on adoption for pupils in grades kindergarten through 12.

SECTION 2044. 115.36 (3) (a) (intro.) of the statutes is amended to read:

115.36 **(3)** (a) (intro.) The department shall, from the appropriation under s. 20.255 (2) ~~(g)~~ (kd), fund school district projects designed to assist minors experiencing problems resulting from the use of alcohol or other drugs or to prevent alcohol or other drug abuse by minors. The department shall:

SECTION 2045. 115.361 of the statutes is repealed and recreated to read:

115.361 Alcohol and other drug abuse prevention and intervention programs. (1) A school board may apply to the department for a grant to fund an alcohol and other drug abuse prevention and intervention program. The department shall pay grants awarded under this section from the appropriation under s. 20.255 (2) (dm) and shall promulgate rules to implement and administer this section.

(2) The department shall collect and analyze information about the programs funded under this section, evaluate their effectiveness and submit a report of the evaluation to the appropriate standing committees of the legislature under s. 13.172 (3) and to the governor by July 1, 2000, and biennially by July 1 thereafter.

SECTION 2046. 115.3615 of the statutes is amended to read:

115.3615 Head start supplement. From the ~~appropriation~~ appropriations under s. 20.255 (2) (eh) and (kh), the state superintendent shall distribute funds to agencies determined by the state superintendent to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. The state superintendent shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The state superintendent shall give preference in funding under this section to ~~an agency that is~~ agencies that are receiving federal funds under 42 USC 9831 to 9852 and to agencies that operate full–time or early head start programs. Funds distributed under this section may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this section.

SECTION 2047. 115.362 of the statutes is repealed.

SECTION 2048m. 115.366 of the statutes is created to read:

115.366 Alternative education grants. (1) From the appropriation under s. 20.255 (2) (cf), the department shall award grants to school districts and consortia of school districts for alternative education programs, as defined by the department by rule. The department shall encourage rural school districts and consortia of school districts to apply for grants under this section.

(2) The department shall promulgate rules to implement and administer this section.

SECTION 2048ng. 115.37 of the statutes is repealed and recreated to read:

115.37 Blind and visual impairment education council. (1) In this section:

(a) "Council" means the blind and visual impairment education council.

(b) "Visually impaired" has the meaning given in s. 115.51 (4).

(2) The state superintendent shall seek the advice of and consult with the council on issues related to persons who are visually impaired. The state superintendent and the director of the Wisconsin Center for the Blind and Visually Impaired, or their designees, shall attend meetings of the council.

(3) The council shall do all of the following:

(a) Meet at least twice each year.

(b) Advise the state superintendent on such statewide services, activities, programs, investigations and research as in its judgment will benefit pupils who are visually impaired.

(c) Make recommendations for the improvement of services provided by the Wisconsin Center for the Blind and Visually Impaired.

(d) Review the level and quality of services available to pupils in the state who are visually impaired and make recommendations about those services.

(e) Propose to the state superintendent ways to improve the preparation of teachers and other staff who provide services to pupils who are visually impaired.

(f) Propose to the state superintendent ways to improve coordination between the department and other agencies in providing services to persons who are visually impaired.

(4) The council may initiate consultations with the department.

(5) The council shall have access to public files, public records and statistics kept in the department that relate to matters concerning children who are visually impaired.

SECTION 2048nr. 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1. and amended to read:

115.38 **(1)** (b) 1. Other indicators of school and school district performance, including dropout, attendance, retention in grade and graduation rates~~; numbers of suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16 (1) (a); percentage of pupils participating in extracurricular and community activities and advanced placement courses; percentage of graduates enrolled in postsecondary educational programs; and percentage of graduates entering the workforce.

SECTION 2048t. 115.38 (1) (b) 2. of the statutes is created to read:

115.38 **(1)** (b) 2. The numbers of suspensions and expulsions; the reasons for which pupils are suspended or expelled, reported according to categories specified by the state superintendent; the length of time for which pupils are expelled, reported according to categories specified by the state superintendent; whether pupils return to school after their expulsion; the educational programs and services, if any, provided to pupils during their expulsions, reported according to categories specified by the state superintendent; the schools attended by pupils who

are suspended or expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled and whether the pupils are children with disabilities, as defined in s. 115.76 (5).

SECTION 2050. 115.42 (1) (a) (intro.) of the statutes is amended to read:

115.42 **(1)** (a) (intro.) ~~In the 1999–2000 school year the~~ The department shall award a ~~$2,000~~ grant to any person who satisfies all of the following requirements:

SECTION 2051. 115.42 (1) (a) 1. of the statutes is amended to read:

115.42 **(1)** (a) 1. The person is certified by the National Board for Professional Teaching Standards ~~before July 1, 2000~~.

SECTION 2052. 115.42 (1) (b) of the statutes is created to read:

115.42 **(1)** (b) The grant under this subsection shall be an amount equal to the costs of obtaining certification under par. (a) 1. that are borne by the person, not to exceed $2,000. The department shall award the grant under this subsection in the school year in which the person is certified under par. (a) 1., except that if the person becomes certified under par. (a) 1. while he or she is not a resident of this state, the department shall award the grant under this subsection in the first school year in which the person meets the requirements under par. (a).

SECTION 2053. 115.42 (2) (intro.) of the statutes is amended to read:

115.42 **(2)** (intro.) ~~In the 2000–01 school year the~~ The department shall award a $2,500 grant to each person who received a grant under sub. (1) in each of the 9 school years following the school year in which he or she received the grant if the person satisfies all of the following requirements:

SECTION 2053am. 115.435 of the statutes is created to read:

115.435 Supplemental aid. (1) A school district that satisfies all of the following criteria may apply to the department by October 15 of each school year for a grant to supplement aid under s. 121.08.

(a) The school district had an enrollment in the previous school year of fewer than 500 pupils.

(b) The school district is at least 200 square miles in area.

(c) At least 65% of the real property in the school district is exempt from taxation under s. 70.11, owned by or held in trust for a federally recognized American Indian tribe or owned by the federal government.

(2) No later than June 30 of the current school year, the department shall, from the appropriation under s. 20.255 (2) (ad), pay each school district that satisfies the criteria under sub. (1) $350 for each pupil enrolled in the school district in the previous school year. If the appropriation under s. 20.255 (2) (ad) is insufficient to pay the full amount under this subsection, the funds shall be prorated among the entitled school districts.

(3) The department shall promulgate rules to implement and administer this section.

SECTION 2053b. Subchapter III (title) of chapter 115 [precedes 115.51] of the statutes is amended to read:

CHAPTER 115

SUBCHAPTER III

STATE ~~SCHOOLS~~ SCHOOL FOR THE DEAF AND STATE CENTER FOR THE BLIND AND VISUALLY IMPAIRED

SECTION 2053c. 115.51 (1) of the statutes is repealed.

SECTION 2053d. 115.51 (3) and (4) of the statutes are created to read:

115.51 **(3)** "Local educational agency" has the meaning given in s. 115.76 (10).

(4) "Visually impaired" means loss of vision or blindness as described in the rule promulgated by the state superintendent to define "visual impairments" for the purposes of s. 115.76 (5) (a) 4.

SECTION 2053f. 115.52 of the statutes is amended to read:

115.52 Wisconsin ~~schools~~ School for the ~~visually handicapped and the deaf~~ Deaf. (1) The object of the ~~Wisconsin school for the visually handicapped and the~~ Wisconsin ~~school~~ School for the ~~deaf~~ Deaf is to afford persons ~~with visual impairments and persons~~ with hearing impairments a practical education and physical rehabilitation which may aid them to make a living, discharge their duties as citizens and secure to them all possible happiness.

(2) The state superintendent shall maintain and govern the ~~school for the visually handicapped and the school~~ School for the ~~deaf~~ Deaf. The state superintendent may fix the period of the school year at the ~~schools~~ school at not less than 38 weeks, prescribe the school terms and confer diplomas upon meritorious pupils who have completed the prescribed curricula.

(3) All the ~~blind and the~~ deaf residents of this state 6 to 20 years old, and for the duration of a school term all the ~~blind or~~ deaf residents of this state who become 21 years old during that school term, who are capable of receiving instruction shall be received and taught in the ~~schools~~ School for the Deaf free of charge. Like nonresident pupils also may be received upon payment in advance of the fees fixed by the state superintendent at an amount not less than $75 per month, but no nonresident shall be received to the exclusion of a resident pupil. The state superintendent also may admit pupils who are 21 years of age or older prior to the beginning of a school term upon the payment of fees fixed by the superintendent and upon the recommendation of the secretary of health and family services, the director of the technical college system or the superintendent of the ~~school to which the pupil will be assigned~~ School for the Deaf. All pupils shall equally and freely enjoy the benefits and privileges of the ~~schools~~ school and have the use of the library and books of instruction and receive board, lodg-

ing and laundry, without discrimination. The ~~schools~~ school may provide transportation for resident pupils.

(5) The state superintendent may grant approval for the maintenance of a summer school at the ~~school~~ School for the ~~deaf~~ Deaf whenever it will be to the advantage of persons with hearing impairments ~~and may grant approval for the maintenance of a summer school at the school for the visually handicapped whenever it will be to the advantage of children with visual impairments. There shall be a summer school each year at the school for the visually handicapped for adults with visual impairments~~.

(6) The state superintendent may make charges for meals, living quarters, laundry and other services furnished to employes of the ~~schools~~ School for the Deaf and their families. The state superintendent also may make charges for services furnished to visitors at the ~~schools~~ school and participants in training programs and institutes.

(7) The Wisconsin ~~school~~ School for the ~~deaf~~ Deaf may provide instruction for preschool children with hearing impairments and their parents. ~~The Wisconsin school for the visually handicapped may provide instruction for preschool children with visual impairments and their parents.~~ Such instruction or treatment shall be subject to the approval of, and shall comply with requirements established by, the department.

SECTION 2053h. 115.525 of the statutes is created to read:

115.525 Wisconsin Center for the Blind and Visually Impaired. (1) DEFINITION. In this section, "center" means the Wisconsin Center for the Blind and Visually Impaired.

(1m) PURPOSE. The purpose of the center is to serve as a statewide educational resource relating to visual impairments to benefit all Wisconsin children who are visually impaired.

(2) GOVERNANCE. The state superintendent shall maintain and govern the center. The state superintendent shall appoint an individual who has training and experience in educating pupils who are visually impaired to serve as the director of the center.

(3) SERVICES. The center shall provide services that benefit children throughout the state who are visually impaired.

(a) *School*. 1. 'Residents 3 to 20 years old.' The center shall operate a school at which any resident of this state 3 to 20 years old who is visually impaired, and for the duration of a school term any resident of this state who is visually impaired and becomes 21 years old during that school term, shall be received and taught free of charge if the individualized education program for the resident under s. 115.787 and the educational placement under s. 115.79 specify the school operated by the center as the appropriate placement.

2. 'Residents 21 years old or older.' The state superintendent may admit to the school operated by the center a resident of the state who is visually impaired and is 21 years of age or older prior to the beginning of a school term upon the payment of fees fixed by the state superintendent and upon the recommendation of the secretary of health and family services, the director of the technical college system or the director of the center.

3. 'Nonresidents.' A nonresident of this state, who is visually impaired, who either is 3 to 20 years old or becomes 21 years old during a school term, whose individualized education program under 20 USC 1414 (d) and educational placement specify the school operated by the center as the appropriate placement and who is capable of receiving instruction may be received at the school upon payment in advance of the fees fixed by the state superintendent, but no nonresident may be received to the exclusion of a resident pupil.

4. 'Pupil use of residential facilities.' Except as provided in sub. (4), the director of the center shall make the residential facilities at the center available to all pupils received at the school operated by the center.

5. 'School term.' The state superintendent shall fix the period of the school term at the school operated by the center at not less than 38 weeks, prescribe the school sessions and confer diplomas upon meritorious pupils who have completed the prescribed curriculum. Pursuant to a pupil's individualized education program under s. 115.787, a pupil may be placed at the school for less than a school term.

6. 'Transportation.' The center may provide transportation for resident pupils at the school operated by the center.

(b) *Other statewide services*. The center may do any of the following:

1. Provide testing, evaluation and assessment services to assist local educational agencies, cooperative educational service agencies and county children with disabilities education boards.

2. Provide technical assistance and consultation services to entities such as local educational agencies, cooperative educational service agencies, county children with disabilities education boards and private schools.

3. Develop and disseminate curriculum and instructional materials.

4. Provide in service and other training to teachers and other staff serving pupils who are visually impaired.

5. Provide training, technical assistance and consultation services for parents of children who are visually impaired and for professionals who work with children who are visually impaired.

6. Provide materials in braille, large print and other appropriate formats to children who are visually impaired.

7. Train teachers and braillists about braille codes and formats used by individuals who are visually impaired.

8. Loan books and other materials from the library described in par. (c) 2.

9. Serve as a clearinghouse for information about children who are visually impaired, including information related to library resources, adapted materials and current research.

10. Assist in providing assistive technology services, as defined in s. 115.76 (2), for pupils who are visually impaired.

11. Lend, rent or lease technological materials and assistive technology devices, as defined in s. 115.76 (1), to local educational agencies, cooperative educational service agencies and county children with disabilities education boards.

12. Facilitate the preparation of teachers of pupils who are visually impaired by providing assistance to teacher preparation programs.

13. Coordinate and collaborate with public and private agencies and organizations that provide services to individuals who are visually impaired, including the development of employment skills and opportunities.

14. Provide other statewide services that relate to the education of children who are visually impaired.

(c) *Additional services.* 1. 'Birth to 2 services.' The center may provide instruction or services, or both, for children who are under the age of 2 and are visually impaired and their parents. The instruction or services are subject to the approval of, and shall comply with requirements established by, the department.

2. 'Library.' Embossed, clear type or large type books acquired by the center constitute a circulating collection for persons who are visually impaired. The collection shall be kept at the center and be under the supervision of its director. All school age children of the state who are visually impaired may use such books upon compliance with criteria established by the director of the center and approved by the state superintendent.

3. 'Summer programs.' The center shall provide summer programs each year for children who are visually impaired.

4. 'Adult summer program.' The center shall provide a summer program each year for adults who are visually impaired. The state superintendent may contract with other entities to provide this program.

5. 'Independent living skills.' With the approval of the state superintendent, the center may use state–owned housing on the grounds of the center in Janesville as a facility in which individuals receive instruction in and practice independent living skills.

(d) *Provision of services.* In addition to providing services at the center's facility in Janesville, the center may provide services at any location in the state and may operate regional satellite facilities throughout the state to provide services.

(4) NONDISCRIMINATION. All pupils at the center may equally and freely enjoy the benefits and privileges of the center, have the use of the library and books of instruction and receive board, lodging and laundry, without discrimination, except that the director of the center may determine that board, lodging and laundry may not be provided to an individual because appropriate services are not available for that individual at the center's residential facilities.

(5) CHARGES. The state superintendent may charge for meals, living quarters, laundry and other services furnished to employes of the center and their families. The state superintendent may charge for services furnished to visitors at the center and participants in training programs and institutes.

(6) LEASING OF SPACE. The state superintendent may lease space at the center in Janesville that is not required by the center to any person if the state superintendent determines that the use will not be inconsistent with the operation of the center.

(7) AUDIT. In the 2002–03 fiscal year, the legislative audit bureau shall perform a performance evaluation audit of the center. The bureau shall submit copies of the audit report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) by June 30, 2003.

SECTION 2053j. 115.53 (2) of the statutes is amended to read:

115.53 (2) Arrange for vocational, trade or academic training for any pupil in either ~~state school~~ the school operated by the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School for the Deaf qualified to take such training advantageously, in either a public school or technical college or a private business establishment in Janesville or Delavan. The public school and the technical college shall be paid the regular tuition for full–time attendance and proportionally for part–time attendance by the school district responsible for the provision of a free appropriate public education under subch. V.

SECTION 2053k. 115.53 (3) of the statutes is renumbered 115.53 (3) (a) and amended to read:

115.53 **(3)** (a) Arrange for otological or ophthalmic examination of any pupil or prospective pupil of the ~~schools~~ Wisconsin School for the Deaf. The examination shall be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

SECTION 2053L. 115.53 (3) (b) of the statutes is created to read:

115.53 **(3)** (b) Arrange for ophthalmic or otological examination of any pupil or prospective pupil of the school operated by the Wisconsin Center for the Blind and Visually Impaired. The examination shall be paid from the appropriation in s. 20.255 (1) (b), (gh), (gL) or (gs).

SECTION 2053m. 115.53 (4) and (5) of the statutes are amended to read:

115.53 **(4)** Apply to the board of directors of the University of Wisconsin Hospitals and Clinics Authority for admission to the University of Wisconsin Hospitals and Clinics of any pupil ~~in~~ at the ~~state schools~~ Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the Blind and Visually Impaired.

(a) The application shall be accompanied by the report of a physician appointed by the ~~appropriate school~~ superintendent of the Wisconsin School for the Deaf or the director of the Wisconsin Center for the Blind and Visually Impaired and shall be in the same form as reports of other physicians for admission of patients to such hospital.

(b) The net cost of hospital treatment shall be at the rate established under s. 233.40 (1) and shall be ~~chargeable to~~ paid from the appropriation ~~for operating the patient's school~~ under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the Wisconsin School for the Deaf or from the appropriation under s. 20.255 (1) (b), (gh), (gL) or (gs) if the patient is a pupil at the school operated by the Wisconsin Center for the Blind and Visually Impaired. The state superintendent likewise may authorize payment for the expense of transporting patients to and from the hospital. The state superintendent shall make payments for the treatment to the University of Wisconsin Hospitals and Clinics Authority. Funds collected by the state superintendent on account of the hospitalization shall be ~~deposited in~~ credited to the appropriation under s. 20.255 (1) ~~(b)~~ (gh) for the school or center concerned.

(5) Arrange for visits by members of the staff of either ~~school~~ the Wisconsin School for the Deaf or the Wisconsin Center for the Blind and Visually Impaired to other public schools or to families of ~~blind or~~ deaf children or children who are visually impaired, whenever it appears to the state superintendent that such visits will be of advantage to ~~blind or deaf~~ such children.

SECTION 2053p. 115.54 of the statutes is amended to read:

115.54 Compulsory education. If it appears, by affidavit, to any circuit judge that any ~~blind or~~ deaf child or child who is visually impaired between the ages of 6 and 21 is deprived of a suitable education by the failure of the person having the care and custody of the child to provide a suitable education, the judge shall order the person to bring the child before the judge. If the material allegations of the affidavit are denied, the judge shall subpoena witnesses and hear testimony. If the allegations are admitted or established, the judge may order the child sent to the ~~school~~ Wisconsin School for the ~~visually handicapped or for the deaf~~ Deaf, the school operated by the Wisconsin Center for the Blind and Visually Impaired or to some class or other school for instruction, but the order ~~shall~~ may not make a direct charge for the class or school against any county.

SECTION 2053q. 115.55 of the statutes is repealed.

SECTION 2053r. 115.58 of the statutes is amended to read:

115.58 Park grounds. The state superintendent may permit the city of Janesville to use portions of the grounds of the ~~state school for the visually handicapped~~ Wisconsin Center for the Blind and Visually Impaired at Janesville, which abut on the Rock river, for purposes of operating a city park. Any construction on such grounds is subject to prior approval by the state superintendent. Any agreement pursuant hereto shall be cancelable at the option of either party without liability. Any such grounds so used by the city of Janesville shall be supervised by the city and shall be subject to the ordinances of the city of Janesville applicable to city parks.

SECTION 2054. 115.75 (1) (a) of the statutes is amended to read:

115.75 **(1)** (a) Subject to the requirements of par. (b), each alternative school operating an American Indian language and culture education program under this subchapter shall receive state aid, from the appropriation under s. 20.255 (2) ~~(ci)~~ (km), in an amount equal to ~~$185~~ $200 for each pupil who has completed the fall semester in the program.

SECTION 2055. 115.75 (3) of the statutes is amended to read:

115.75 **(3)** If the appropriation under s. 20.255 (2) ~~(ci)~~ (km) in any year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the alternative schools entitled to such aid.

SECTION 2055m. 115.775 of the statutes is created to read:

115.775 Duties of operators of certain charter schools. (1) Except as provided in sub. (2), an operator of a charter school under s. 118.40 (2r) is a local educational agency, as defined in 20 USC 1401 (15), and shall comply with 20 USC 1400 to 1491o.

(2) The board of directors of the school district operating under ch. 119 is a local educational agency under this section and shall comply with 20 USC 1400 to 1491o if the board of directors enters into an agreement with an operator of a charter school under s. 118.40 (2r) under which the board of directors agrees to serve as the local educational agency.

SECTION 2057. 115.88 (1m) (a) of the statutes is amended to read:

115.88 **(1m)** (a) If, upon receipt of the plan under s. 115.77 (4), the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining

such special education program a sum equal to ~~63% of~~ the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in sub. (1), including the salary portion of any authorized contract for physical or occupational therapy services, ~~except as provided in par. (b),~~ and other expenses approved by the state superintendent~~. The department of administration shall pay such amounts to the county, agency and school district~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

SECTION 2058. 115.88 (1m) (am) of the statutes is created to read:

115.88 **(1m)** (am) If the operator of a charter school established under s. 118.40 (2r) operates a special education program and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for salaries of full–time or part–time licensed teachers, licensed coordinators of special education, licensed school social workers, licensed school psychologists, paraprofessionals, licensed consulting teachers to work with any teacher of regular education programs who has a child with a disability in a class and any other personnel, as determined by the state superintendent. Certified costs under this paragraph are eligible for reimbursement from the appropriation under s. 20.255 (2) (b). The state superintendent may audit costs under this paragraph and adjust reimbursement to cover only actual, eligible costs.

SECTION 2059. 115.88 (1m) (b) of the statutes is repealed.

SECTION 2060. 115.88 (2) of the statutes is amended to read:

115.88 **(2)** TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4) the state superintendent is satisfied that the transportation of children with disabilities has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils ~~63% of~~ an amount equal to the amount expended for such transportation as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br). Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). ~~The department of administration shall pay such amounts to the county, agency or school district from the appropriations under s. 20.255 (2) (b) and (br).~~ This subsection applies to any child with a disability who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with a disability attending regular or special classes who does not require any special or additional transportation.

SECTION 2061. 115.88 (2m) of the statutes is created to read:

115.88 **(2m)** OTHER TRANSPORTATION AID. If the operator of a charter school established under s. 118.40 (2r) transports children with disabilities and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the charter school expended during the previous school year for transportation under this subsection as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b). The state superintendent may audit costs under this subsection and adjust reimbursement to cover only actual, eligible costs.

SECTION 2061e. 115.88 (3) of the statutes is amended to read:

115.88 **(3)** BOARD AND LODGING AID. There shall be paid the amount expended for board and lodging and transportation between the boarding home and the special education program of nonresident children enrolled under s. 115.82 (1) in the special education program. The department shall certify ~~the full amount~~ to the department of administration ~~which shall pay such amount from the appropriation under s. 20.255 (2) (b) to the~~ in favor of each school district, cooperative educational service agency, county children with disabilities education board, state agency of another state or private, nonsectarian special education service which operates the special education program while providing board, lodging and transportation an amount equal to the amount expended for such board and lodging and transportation as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

SECTION 2061m. 115.88 (6) of the statutes is amended to read:

115.88 **(6)** AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ~~From the appropriation under s. 20.255 (2) (b) there shall be paid the full cost of salary~~ The department shall certify to the department of administration, in favor of each school district, an amount equal to the amount expended for salaries and travel expenses, ~~in amounts~~ as determined in advance by the state superintendent, ~~to school districts~~ for providing special education outside the school district of employment, as eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

SECTION 2061s. 115.88 (8) of the statutes is amended to read:

115.88 **(8)** ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in a public special education program located in another state and the state superintendent is satisfied that the program in which the child is enrolled

complies with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district in which the child resides or the school district attended by the child under s. 118.51 a sum equal to the ~~percentage of the approved costs under subs. (1) and (2) of the~~ amount expended by the school district during the preceding year for the additional costs associated with the child's special education program~~. The department of administration shall pay the amount to the school district~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

SECTION 2062. 115.88 (9) of the statutes is amended to read:

115.88 **(9)** DISTRIBUTION SCHEDULE. Each county, cooperative educational service agency, operator of a charter school established under s. 118.40 (2r) and school district entitled to state aid under this section shall receive 15% of its total aid entitlement in each month from November to March and 25% of its total entitlement in June.

SECTION 2063. 115.882 of the statutes is repealed and recreated to read:

115.882 Payment of state aid. Funds appropriated under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br) under ss. 115.88 (1m) to (3), (6) and (8), 115.93 and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount appropriated for reimbursement for such costs, not to exceed 100%.

SECTION 2064. 115.93 (1) of the statutes is renumbered 115.93 and amended to read:

115.93 State aid. ~~Except as provided under sub. (2), if~~ If upon receipt of the reports under s. 115.92 (2) the state superintendent is satisfied that the school age parents program has been maintained during the preceding school year in accordance with the rules under s. 115.92 (3), the state superintendent shall certify to the department of administration in favor of each school district maintaining the program a sum equal to ~~63% of~~ the amount expended by the school district during the preceding school year for salaries of teachers and instructional aides, special transportation and other expenses approved by the state superintendent~~. The department of administration shall pay such amounts to the school district~~ as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

SECTION 2065. 115.93 (2) of the statutes is repealed.

SECTION 2065m. 115.995 of the statutes is renumbered 115.995 (intro.) and amended to read:

115.995 State aids. (intro.) Upon receipt of the report under s. 115.993, if the state superintendent is satisfied that the bilingual–bicultural education program for the previous school year was maintained in accordance with this subchapter, the state superintendent shall ~~certify~~ do all of the following:

(2) Certify to the department of administration in favor of the school district a sum equal to a percentage of the amount expended on limited–English speaking pupils by the school district during the preceding year for salaries of personnel participating in and attributable to bilingual–bicultural education programs under this subchapter, special books and equipment used in the bilingual–bicultural programs and other expenses approved by the state superintendent. The percentage shall be determined by dividing the amount in the appropriation under s. 20.255 (2) (cc) in the current school year less $250,000 by the total amount of aidable costs in the previous school year.

SECTION 2065n. 115.995 (1) of the statutes is created to read:

115.995 **(1)** From the appropriation under s. 20.255 (2) (cc), divide proportionally, based upon costs reported under s. 115.993, an annual payment of $250,000 among school districts whose enrollments in the previous school year were at least 15% limited–English speaking pupils. Aid paid under this subsection does not reduce aid paid under sub. (2).

SECTION 2066m. 118.045 of the statutes is created to read:

118.045 Commencement of school term. (1) Except as provided in subs. (2) and (3), beginning in the year 2000, 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.

(3) A school board may commence the school term before September 1 in any school year if it holds a public hearing on the issue and adopts a resolution to that effect in that school year.

SECTION 2067d. 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 institu-

tion ~~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 2068m. 118.16 (1m) of the statutes is created to read:

118.16 **(1m)** The period during which a pupil is absent from school due to a suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause for the purposes of sub. (1) (c).

SECTION 2068r. 118.175 of the statutes is created to read:

118.175 Pupils without parents or guardians; report required. (1) This section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11) or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m) (a).

(2) If a pupil is a child who is without a parent or guardian, any school teacher, school administrator, school counselor or school social worker who knows that the child is without a parent or guardian shall report that fact as soon as possible to the county department under s. 46.22 or 46.23 or, in a county having a population of 500,000 or more, to the department of health and family services.

SECTION 2069m. 118.19 (1s) of the statutes is created to read:

118.19 **(1s)** (a) Notwithstanding subs. (1m) and (1r), if an applicant does not have a social security number, the applicant, as a condition of applying for, or applying to renew or revalidate, a license under this section shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number.

(b) The teaching license of a person who submits a false statement under par. (a) is invalid.

SECTION 2069r. 118.245 (3) of the statutes is amended to read:

118.245 **(3)** No school district may provide to its nonrepresented professional employes for any 12–month period ending on June 30 an average increase for all such employes in the total cost to the school district of compensation and fringe benefits for such employes having an average cost per employe exceeding 3.8% of the average total cost per employe of compensation and fringe benefits provided by the school district to its nonrepresented professional employes for the preceding 12–month period ending on June 30 or the average total percentage increased cost per employe of compensation and fringe benefits provided to its represented professional employes during the 12–month period ending on June 30 preceding the date that the increase becomes effective, whichever is greater. ~~In this subsection, the cost of compensation includes the cost of any increase in compensation due to a promotion or the attainment of increased professional qualifications.~~ For purposes of this subsection, the average total percentage increased cost per employe of the compensation provided by a school district to its represented professional employes shall be determined in accordance with the method prescribed by the employment relations commission under s. 111.70 (4) (cm) 8s.

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 2071s. 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 2074n. 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 2076g. 118.30 (1m) (a) of the statutes is amended to read:

118.30 **(1m)** (a) 1. Except as provided in sub. (6), administer the 4th grade examination adopted or approved by the state superintendent under sub. (1) ~~(a)~~ to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 4th grade. Beginning on July 1, 2002, if the school board has not developed and adopted its own 4th grade examination, the school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~ take the examination administered under this subdivision ~~that is sufficient for promotion under sub. (5) (a) 1~~.

2. Beginning on July 1, 2002, if the school board has developed or adopted its own 4th grade examination, administer that examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 4th grade. The school board shall provide a pupil with at least 2 opportunities to ~~pass~~ take the examination administered under this subdivision.

SECTION 2076r. 118.30 (1m) (am) of the statutes is amended to read:

118.30 **(1m)** (am) 1. Except as provided in sub. (6), administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) ~~(a)~~ to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade. Beginning on July 1, 2002, if the school board has not developed and adopted its own 8th grade examination, the school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~ take the examination administered under this subdivision ~~that is sufficient for promotion under sub. (5) (b) 1~~.

2. Beginning on July 1, 2002, if the school board has developed or adopted its own 8th grade examination, administer that examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 8th grade. The school board shall provide a pupil with at least 2 opportunities to ~~pass~~ take the examination administered under this subdivision.

SECTION 2077. 118.30 (1m) (b) of the statutes is amended to read:

118.30 **(1m)** (b) Administer the 10th grade examination to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 10th grade. ~~This paragraph does not apply after the 2000–01 school year.~~

SECTION 2078n. 118.30 (1m) (d) of the statutes is amended to read:

118.30 **(1m)** (d) If the school board operates high school grades, beginning in the ~~2000–01~~ 2002–03 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~~. The school board shall determine the high school grades in which the examination will be administered~~

~~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 take the examination administered under this subdivision.

2. Beginning on July 1, 2002, if the operator of the charter school has developed or adopted its own 4th grade examination, administer that examination to all pupils enrolled in the charter school in the 4th grade. The operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

(am) 1. Except as provided in sub. (6), administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the operator of the charter school has not developed and adopted its own 8th grade examination, the operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

2. Beginning on July 1, 2002, if the operator of the charter school has developed or adopted its own 8th grade examination, administer that examination to all pupils enrolled in the charter school in the 8th grade. The operator of the charter school shall provide a pupil with at least 2 opportunities to take the examination administered under this subdivision.

(b) Administer the 10th grade examination to all pupils enrolled in the charter school in the 10th grade.

(d) If the charter school operates high school grades, beginning in the 2002–03 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).

SECTION 2082g. 118.30 (2) (b) 4. of the statutes is created to read:

118.30 **(2)** (b) 4. Upon the request of a pupil's parent or guardian, the operator of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an examination administered under sub. (1r).

SECTION 2082j. 118.30 (2) (e) of the statutes is created to read:

118.30 **(2)** (e) A pupil's score on the examination administered under sub. (1m) (d) or (1r) (d) shall be recorded on the pupil's transcript.

SECTION 2082r. 118.30 (5) of the statutes is repealed.

SECTION 2084. 118.30 (6) of the statutes is amended to read:

118.30 **(6)** A school board and an operator of a charter school under s. 118.40 (2r) is not required to administer the 4th and 8th grade examinations adopted or approved by the state superintendent under sub. (1) ~~(a)~~ if the school board or the operator of the charter school administers its own 4th and 8th grade examinations, the school board or operator of the charter school provides the state superintendent with statistical correlations of those examinations with the examinations adopted or approved by the state superintendent under sub. (1) ~~(a)~~, and the federal department of education approves.

SECTION 2084m. 118.33 (title) of the statutes is amended to read:

118.33 (title) **High school graduation standards; criteria for promotion.**

SECTION 2085m. 118.33 (1) (cm) of the statutes is repealed.

SECTION 2086f. 118.33 (1) (e) of the statutes is repealed.

SECTION 2086h. 118.33 (1) (f) of the statutes is created to read:

118.33 **(1)** (f) 1. By September 1, 2002, each school board operating high school grades shall develop a written policy specifying criteria for granting a high school diploma that are in addition to the requirements under par. (a). The criteria shall include the pupil's score on the examination administered under s. 118.30 (1g) (d), the

pupil's academic performance, the recommendations of teachers and any other criteria specified by the school board. Except as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located in the school district.

Vetoed In Part

2. By September 1, 2002, each operator of a charter school under s. 118.40 (2r) that operates high school grades shall develop a policy specifying criteria for granting a high school diploma. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1r) (d), the pupil's academic performance, the recommendations of teachers and any other criteria specified by the operator of the charter school .

Vetoed In Part

3. Beginning September 1, 2003, neither a school board nor an operator of a charter school under s. 118.40 (2r) may grant a high school diploma to any pupil unless the pupil has satisfied the criteria specified in the school board's or charter school's policy under subd. 1. or 2.

SECTION 2086m. 118.33 (6) of the statutes is created to read:

118.33 **(6)** (a) 1. Each school board shall adopt a written policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers, which shall be based solely on the pupil's academic performance; and any other academic criteria specified by the school board. Except as provided in par. (b) 1., the criteria apply to pupils enrolled in charter schools located in the school district.

2. Except as provided in par. (b) 2., beginning on September 1, 2002, a school board may not promote a 4th grade pupil enrolled in the school district, including a pupil enrolled in a charter school located in the school district, to the 5th grade, and may not promote an 8th grade pupil enrolled in the school district, including a pupil enrolled in a charter school located in the school district, to the 9th grade, unless the pupil satisfies the criteria for promotion specified in the school board's policy adopted under subd. 1.

(b) 1. Each operator of a charter school under s. 118.40 (2r) shall adopt a written policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am), unless the pupil has been excused from taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers, which shall be based solely on the pupil's academic performance; and any other academic criteria specified by the operator of the charter school.

2. Beginning on September 1, 2002, an operator of a charter school under s. 118.40 (2r) may not promote a 4th grade pupil to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless the pupil satisfies the criteria for promotion specified in the charter school operator's policy under subd. 1.

SECTION 2086t. 118.34 (4) of the statutes is created to read:

118.34 **(4)** The governor's work–based learning board shall review the local technical preparation programs established under sub. (1) as operated during the 1999–2000 fiscal year, the organizational structure used to implement those programs during that fiscal year and the allocation of funding to those programs for that fiscal year to determine whether those programs, that organizational structure and that allocation of funding should continue in the manner in which they were provided during the 1999–2000 fiscal year beyond that fiscal year and shall submit a plan for the implementation of those programs beyond the 1999–2000 fiscal year to the joint committee on finance by June 15, 2000. If the cochairpersons of the committee do not notify the governor's work–based learning board within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the board may implement the plan, notwithstanding subs. (1), (2) and (3). If within 14 working days after the date of submittal of the plan, the cochairpersons of the committee notify the governor's work–based learning board that the committee has scheduled a meeting for the purpose of reviewing the plan, the board may implement the plan, notwithstanding subs. (1), (2) and (3), only as approved or modified by the committee.

SECTION 2090. 118.40 (2r) (d) 2. of the statutes is amended to read:

118.40 **(2r)** (d) 2. Administer the examinations under ss. 118.30 ~~(1m)~~ (1r) and 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

SECTION 2090m. 118.40 (2r) (e) of the statutes is amended to read:

118.40 **(2r)** (e) From the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the ~~shared cost per member in the previous school year of the school district operating under ch. 119~~ sum of the amount paid per pupil under this paragraph in the previous school year and the amount of revenue increase per pupil allowed under subch. VII of ch. 121 in the current school year, multiplied by the number of pupils attending the charter school. The department shall pay 25% of the total amount in September, 25% in December, 25% in February and 25% in June. The department shall send the check to the operator of the charter school.

SECTION 2091. 118.40 (2r) (f) of the statutes is repealed.

SECTION 2092. 118.40 (2r) (g) of the statutes is repealed.

SECTION 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.

Vetoed In Part

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:

Vetoed In Part

1. In the previous school year, each school had an enrollment that was at least 65% low–income.

Vetoed In Part

2. The school board is not receiving a grant under the preschool to grade 5 program on behalf of any of the schools under s. 115.45.

3. The school board, if eligible to participate in the program under this section in the 1996–97 and 1998–99 school years, had participated in the program during either school year.

4. None of the schools is a beneficiary of a contract under this section.

SECTION 2100. 118.43 (2) (bt) of the statutes is created to read:

Vetoed In Part

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:

Vetoed In Part

1. In the previous school year, each school had an enrollment that was at least 65% low–income.

2. The school board is not receiving a grant under the preschool to grade 5 program under s. 115.45 on behalf of any of the schools.

3. None of the schools is a beneficiary of a contract under this section.

SECTION 2101. 118.43 (2) (c) of the statutes is amended to read:

118.43 **(2)** (c) Notwithstanding ~~par.~~ pars. (b) and (bg), the school board of the school district operating under ch. 119 may enter into an achievement guarantee contract on behalf of up to 10 schools under par. (b) and up to 10 schools under par. (bg).

SECTION 2102. 118.43 (2) (e) 1. of the statutes is amended to read:

118.43 **(2)** (e) 1. If the school board of an eligible school district does not enter into an achievement guarantee contract with the department, a school board that has entered into such a contract, other than the school board of the school district operating under ch. 119, may apply to the department to enter into such a contract on behalf of one ~~additional school~~ or more schools that ~~meets~~ meet the requirements under par. (b), (bg) or (br).

SECTION 2103. 118.43 (2) (f) of the statutes is amended to read:

118.43 **(2)** (f) The department may not enter into an achievement guarantee contract with a school board on behalf of a school after June 30, ~~1999~~ 2001.

SECTION 2104. 118.43 (3) (intro.) of the statutes is amended to read:

118.43 **(3)** CONTRACT REQUIREMENTS. (intro.) Except as provided in ~~par.~~ pars. (am) and (ar), an achievement guarantee contract shall require the school board to do all of the following in each participating school:

SECTION 2105. 118.43 (3) (ar) of the statutes is created to read:

118.43 **(3)** (ar) *Class size; additional contracts.* For contracts that begin in the 2000–01 school year, reduce each class size to 15 in the following manner:

1. In the 2000–01 school year, in at least grades kindergarten and one.

2. In the 2001–02 school year, in at least grades kindergarten to 2.

3. In the 2002–03 to 2004–05 school years, in at least grades kindergarten to 3.

SECTION 2106. 118.43 (5) (b) of the statutes is amended to read:

118.43 **(5)** (b) ~~At the end of the 1997–98, 1998–99, 1999–2000, 2000–01 and 2001–02 school years~~ Annually by June 30 through the 2003–04 school year, a committee consisting of the state superintendent, the chairpersons of the education committees in the senate and assembly and the individual chiefly responsible for the

evaluation under sub. (7) shall review the progress made by each school for which an achievement guarantee contract has been entered into. The committee may recommend to the department that the department terminate a contract if the committee determines that the school board has violated the contract or if the school has made insufficient progress toward achieving its performance objectives under sub. (4) (c). The department may terminate the contract if it agrees with the committee's recommendation.

SECTION 2106r. 118.43 (6) (b) 5. of the statutes is repealed.

SECTION 2107b. 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, $2,000 multiplied by the number of low–income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under sub. (3) (a) and (am). After making these payments, the department shall pay school districts on behalf of schools that are covered by contracts under sub. (3) (ar) an amount equal to $2,000 multiplied by the number of low–income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under sub. (3) (ar). In making these payments, the department shall give priority to schools that have the highest percentage of low–income pupil enrollment and shall also ensure that it fully distributes the amount appropriated.

7. In the 2001–02 and 2002–03 school years, $2,000 multiplied by the number of low–income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under sub. (3) (am). After making these payments, the department shall pay school districts on behalf of schools that are covered by contracts under sub. (3) (ar), an amount equal to $2,000 multiplied by the number of low–income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under sub. (3) (ar).

8. In the 2003–04 and 2004–05 school years, $2,000 multiplied by the number of low–income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under sub. (3) (ar).

SECTION 2107c. 118.43 (6m) of the statutes is created to read:

118.43 **(6m)** RULES. The department shall promulgate rules to implement and administer the payment of state aid under sub. (6).

SECTION 2107d. 118.43 (8) of the statutes is created to read:

118.43 **(8)** STATE AID FOR DEBT SERVICE. (a) Beginning in the 2000–01 school year, a school district is eligible for aid under this subsection if it applies to the department for approval of the amount of bonds specified in the copy of the resolution under 1999 Wisconsin Act .... (this act), section 9139 (2d). If the department approves the amount before June 30, 2001, the department shall, from the appropriation under s. 20.255 (2) (cs), pay each school district that issues bonds pursuant to a referendum under 1999 Wisconsin Act .... (this act), section 9139 (2d), an amount equal to 20% of the annual debt service cost on the bonds. This subsection does not apply to the school district operating under ch. 119.

(b) The department shall promulgate rules to implement and administer this subsection.

SECTION 2107f. 118.55 (7r) (d) 1. (intro.) and a. of the statutes are consolidated, renumbered 118.55 (7r) (d) 1. and amended to read:

118.55 **(7r)** (d) 1. For each pupil attending a technical college under this subsection, the school board shall pay to the technical college district board, in 2 instalments payable upon initial enrollment and at the end of the semester, ~~the following amount: a. If the pupil is attending the technical college for less than 7 credits that are eligible for high school credit,~~ for those courses taken for high school credit, an amount equal to the cost of tuition, course fees and books for the pupil at the technical college.

SECTION 2107g. 118.55 (7r) (d) 1. b. of the statutes is repealed.

SECTION 2107n. 118.55 (7t) of the statutes is created to read:

118.55 **(7t)** LIMITATIONS ON PARTICIPATION AND PAYMENT. (a) When a pupil gains 12th grade status, as determined by the school board of the school district in which the pupil is enrolled, the pupil may participate in the program under this section for no more than 2 consecutive semesters.

(b) If a school board is required to pay tuition on behalf of a pupil under sub. (5) (a) or (c) 1. or (7r) (d), the tuition charged may not exceed the amount that would be charged a pupil who is a resident of this state.

SECTION 2107r. 118.55 (7w) (title) of the statutes is repealed.

SECTION 2107t. 118.55 (7w) of the statutes is renumbered 118.55 (7r) (f) and amended to read:

118.55 **(7r)** (f) A pupil taking a course at a technical college for high school credit under this ~~section~~ subsection is not responsible for any portion of the tuition and fees for the course if the school board is required to pay the technical college for the course under ~~sub. (7r)~~ par. (d).

SECTION 2108m. 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, 118.045, 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)~~ (26), 120.125,

120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35), 120.135 and 120.14 are applicable to a 1st class city school district and board.

Vetoed In Part

SECTION 2108g. 119.16 (3) (b) of the statutes is amended to read:

119.16 **(3)** (b) ~~Schoolhouses~~ Except as provided in par. (c), schoolhouses and the sites on which they are situated shall be the property of the city~~, but no~~. No site may be purchased or leased and no schoolhouse may be constructed unless a resolution therefor is duly adopted by the board. ~~Deeds~~ Except as provided in par. (c), deeds of conveyance and leases shall be made to the city.

SECTION 2108r. 119.16 (3) (c) of the statutes is created to read:

119.16 **(3)** (c) If the redevelopment authority of the city issues bonds under s. 66.431 (5r), the board may lease buildings or sites from the redevelopment authority or borrow money from the redevelopment authority for the purposes of par. (a).

Vetoed In Part

SECTION 2108s. 119.16 (10) of the statutes is created to read:

119.16 **(10)** PUBLIC HEARINGS ON SCHOOL CONSTRUCTION. The board shall hold a public hearing in each attendance district in which a new school that is financed with bond proceeds under s. 66.431 (5r) is to be constructed.

SECTION 2109c. 119.23 (1) of the statutes is renumbered 119.23 (1) (intro.) and amended to read:

119.23 **(1)** (intro.) In this section~~, "membership"~~:

(a) "Membership" has the meaning given in s. 121.004 (5).

SECTION 2109g. 119.23 (1) (b) and (c) of the statutes are created to read:

119.23 **(1)** (b) "Summer average daily membership equivalent" has the meaning given in s. 121.004 (8).

(c) "Summer choice average daily membership equivalent" means the summer average daily membership equivalent of pupils who were attending a private school under this section on the 2nd Friday of January of the school term immediately preceding that summer or whose applications have been accepted under sub. (3) for attendance at the private school in the school term immediately following that summer.

Vetoed In Part

SECTION 2109m. 119.23 (2) (a) 1. of the statutes is amended to read:

119.23 **(2)** (a) 1. The pupil is a member of a family that has ~~a~~ an average total family income over a 4–year period that does not exceed an amount equal to 1.75 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget.

SECTION 2109p. 119.23 (4) of the statutes is renumbered 119.23 (4) (b) (intro.) and amended to read:

119.23 **(4)** (b) (intro.) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the ~~total amount to which the school district is entitled under s. 121.08 divided by the school district membership, or an~~ lesser of the following:

1. The amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department~~, whichever is less~~.

(c) The state superintendent shall pay 25% of the total amount under par. (b) in September, 25% in November, 25% in February and 25% in May. The state superintendent may include the entire amount under sub. (4m) in one of those instalments or apportion the entire amount among one or more of those instalments. The department shall send the check to the private school. The parent or guardian shall restrictively endorse the check for the use of the private school.

SECTION 2109q. 119.23 (4) (a) of the statutes is created to read:

119.23 **(4)** (a) Annually, on or before October 15, a private school participating in the program under this section shall file with the department a report stating its summer average daily membership equivalent and its summer choice average daily membership equivalent for the purpose of sub. (4m).

SECTION 2109s. 119.23 (4) (b) 2. of the statutes is created to read:

119.23 **(4)** (b) 2. The sum of the amount paid per pupil under this subsection in the previous school year and the amount of revenue increase per pupil allowed under subch. VII of ch. 121 in the current school year.

SECTION 2109t. 119.23 (4m) of the statutes is created to read:

119.23 **(4m)** Beginning in the 1999–2000 school year, in addition to the payment under sub. (4) the state superintendent shall pay to the parent or guardian of each pupil enrolled in a private school under this section, in the manner described in sub. (4) (c), an amount determined by multiplying the payment under sub. (4) by the quotient determined by dividing the summer choice average daily membership equivalent of the private school by the total number of pupils for whom payments are being made under sub. (4).

SECTION 2110. 119.23 (5) (intro.) and (c) of the statutes are consolidated, renumbered 119.23 (5) and amended to read:

119.23 **(5)** The state superintendent shall~~: (c) Ensure~~ ensure that pupils and parents and guardians of pupils who reside in the city are informed annually of the private schools participating in the program under this section.

SECTION 2111. 119.23 (5) (a) of the statutes is repealed.

SECTION 2112. 119.23 (5) (b) of the statutes is repealed.

SECTION 2113g. 119.24 of the statutes is amended to read:

119.24 Admission of pupils. ~~Each school under the jurisdiction of the board shall be open to pupils residing within the attendance district established for that school under s. 119.16 (2).~~ A pupil ~~residing in any such district~~ may attend a school in ~~another~~ an attendance district other than the one in which he or she resides with the written permission of the superintendent of schools. Beginning in the 2000–01 school year, the board shall provide spaces in each school for pupils who reside outside the attendance district for the school, but shall fill any unused spaces with pupils who reside in the attendance district. A pupil who attends a school may continue to attend that school until he or she graduates from the school and each sibling of that pupil shall be given priority over other pupils in the process of admission for that school.

SECTION 2118g. 119.71 (2) of the statutes is repealed.

SECTION 2118r. 119.71 (3) of the statutes is amended to read:

119.71 **(3)** (a) ~~The~~ Annually, the board shall ~~use the funds received under sub. (2)~~ spend at least $5,090,000 to expand its half–day 5–year–old kindergarten program to a full–day program, as provided under par. (b), and shall enroll in the expanded program only pupils who meet the income eligibility standards for a free lunch under 42 USC 1758 (b). The board shall select pupils for the expanded program based on the order in which the pupils register for the program.

(b) The board shall use the funds ~~received~~ specified under ~~sub. (2)~~ par. (a) to pay the costs of teachers, aides and other support staff, transportation of staff to pupils' homes, in–service programs, parental involvement programs and instructional materials. The board may not use the funds ~~to supplant or replace funding otherwise available for full–day 5–year–old kindergarten or~~ to provide facilities to house the program or to pay pupil transportation or indirect administrative costs associated with the program.

SECTION 2119. 119.72 (5) of the statutes is amended to read:

119.72 **(5)** From the appropriation under s. 20.255 (2) ~~(ec)~~ (kp), the state superintendent shall pay to the board the amount specified in the spending plan under s. 119.80 for the program under this section in each school year.

SECTION 2119m. 119.74 (intro.) of the statutes is amended to read:

119.74 Extended–day elementary grade, 4–year–old kindergarten and alcohol and other drug abuse programs. (intro.) ~~From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the~~ The board ~~the amounts specified in the spending plan under s. 119.80~~ shall spend at least $430,000 for the following programs in each school year:

SECTION 2120d. 119.75 (2) (a) of the statutes is repealed.

SECTION 2120h. 119.75 (2) (b) of the statutes is renumbered 119.75 (2) and amended to read:

119.75 **(2)** ~~The~~ Annually, the board shall ~~use the funds received under par. (a)~~ spend at least $1,070,000 to pay the costs of teachers, aides and other support staff, transportation of staff to pupils' homes, in–service programs, parental involvement programs and instructional materials related to the programs under sub. (1). The board may not use the funds ~~to supplant or replace funding otherwise available for first grade programs or~~ to provide facilities to house the programs under sub. (1) or to pay pupil transportation or indirect administrative costs associated with the programs under sub. (1).

SECTION 2120p. 119.78 (1) of the statutes is renumbered 119.78.

SECTION 2120t. 119.78 (2) of the statutes is repealed.

SECTION 2121m. 119.80 (1) of the statutes is amended to read:

119.80 **(1)** The board shall submit to the governor a proposal for the expenditure of the funds in the appropriation under s. 20.255 (2) ~~(ec)~~ (kp) in each school year.

SECTION 2122m. 119.80 (1m) of the statutes is amended to read:

119.80 **(1m)** Annually by June 1, the governor shall submit to the joint committee on finance and to the appropriate standing committees of the legislature under s. 13.172 (3) a proposal for the expenditure of the funds in the appropriation under s. 20.255 (2) ~~(ec)~~ (kp) in the following school year. By June 15, each such standing committee may submit written recommendations on the proposal to the joint committee on finance.

SECTION 2123. 119.80 (4) of the statutes is created to read:

119.80 **(4)** The department may not distribute any funds in the appropriation under s. 20.255 (2) (kp) in any fiscal year until the spending plan for that fiscal year has been approved.

SECTION 2124. 119.82 (3) of the statutes is amended to read:

119.82 **(3)** From the appropriation under s. 20.255 (2) ~~(ec)~~ (kp), the state superintendent shall pay to the board the amount specified in the spending plan under s. 119.80 in each school year for the programs under sub. (1).

SECTION 2124m. 120.12 (26) of the statutes is created to read:

120.12 **(26)** SCHOOL SAFETY PLANS. Have in effect a school safety plan for each school in the school district.

SECTION 2124t. 120.13 (1) (b) of the statutes is amended to read:

120.13 **(1)** (b) The school district administrator or any principal or teacher designated by the school district administrator also may make rules, with the consent of the school board, and may suspend a pupil for not more than 5 school days or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with such rules or school board rules, or for knowingly conveying any threat or false information

concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, for conduct by the pupil while at school or while under the supervision of a school authority which endangers the property, health or safety of others, or for conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employe or school board member of the school district in which the pupil is enrolled. In this paragraph, conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property. Prior to any suspension, the pupil shall be advised of the reason for the proposed suspension. The pupil may be suspended if it is determined that the pupil is guilty of noncompliance with such rule, or of the conduct charged, and that the pupil's suspension is reasonably justified. The parent or guardian of a suspended minor pupil shall be given prompt notice of the suspension and the reason for the suspension. The suspended pupil or the pupil's parent or guardian may, within 5 school days following the commencement of the suspension, have a conference with the school district administrator or his or her designee who shall be someone other than a principal, administrator or teacher in the suspended pupil's school. If the school district administrator or his or her designee finds that the pupil was suspended unfairly or unjustly, or that the suspension was inappropriate, given the nature of the alleged offense, or that the pupil suffered undue consequences or penalties as a result of the suspension, reference to the suspension on the pupil's school record shall be expunged. Such finding shall be made within 15 days of the conference. A pupil suspended under this paragraph shall not be denied the opportunity to take any quarterly, semester or grading period examinations or to complete course work missed during the suspension period, as provided in the attendance policy established under s. 118.16 (4) (a).

SECTION 2124u. 120.13 (1) (c) 1. of the statutes is amended to read:

120.13 **(1)** (c) 1. The school board may expel a pupil from school whenever it finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a pupil knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, or finds that the pupil engaged in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others, or finds that a pupil while not at school or while not under the supervision of a school authority engaged in conduct which endangered the property, health or safety of others at school or under the supervision of a school authority or endangered the property, health or safety of any employe or school board member of the school district in which the pupil is enrolled, and is satisfied that the interest of the school demands the pupil's expulsion. In this subdivision, conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

SECTION 2124vr. 120.13 (2) (g) of the statutes is amended to read:

120.13 **(2)** (g) Every self–insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13), 632.896~~,~~ and 767.25 (4m) (d)~~, 767.51 (3m) (d) and 767.62 (4) (b) 4~~.

SECTION 2124vm. 120.13 (14) of the statutes is amended to read:

120.13 **(14)** DAY CARE PROGRAMS. Establish and provide or contract for the provision of day care programs for children. The school board may receive federal or state funds for this purpose. The school board may charge a fee for all or part of the cost of the service for participation in a day care program established under this subsection. Costs associated with a day care program under this subsection may not be included in shared costs under s. 121.07 (6). Day care programs established under this subsection shall meet the standards for licensed day care centers established by the department of health and family services. If a school board proposes to contract for or renew a contract for the provision of a day care program under this subsection or if on July 1, 1996, a school board is a party to a contract for the provision of a day care program under this subsection, the school board shall refer the contractor or proposed contractor to the department of health and family services for the criminal history and child abuse record search required under s. 48.685. Each school board shall provide the department of health and family services with information about each person who is denied a contract for a reason specified in s. 48.685 ~~(2)~~ (4m) (a) 1. to 5.

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).

Vetoed In Part

SECTION 2126m. 120.135 of the statutes is created to read:

120.135 Capital improvement fund. (1) By the first day of the 6th month commencing after the effective date of this subsection .... [revisor inserts date], by a two–thirds vote of the members elect, a school board may adopt a resolution creating a capital improvement fund for the purpose of financing the cost of acquiring and improving sites, constructing school facilities and major maintenance of or remodeling, renovating and improving school facilities.

(2) If a tax incremental district that is located in whole or in part in the school district is terminated before the maximum number of years that the tax incremental district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the school board adopts a resolution by a two–thirds vote of the members elect expressing its intention to do so until the year after the year in which the tax incremental district would have been required to terminate under s. 66.46 (7) (am) or (ar), the school board shall deposit into the capital improvement fund the percentage specified in the resolution of the school district's portion of the positive tax increment of the tax incremental district in that year, as determined by the department of revenue under s. 66.46. If the value increment is less than $300,000,000, the percentage specified in the resolution may not exceed 66.7%.

(3) The school board shall use the balance of the school district's portion of the positive tax increment of the tax incremental district to reduce the levy that otherwise would be imposed.

(4) Money in the capital improvement fund may not be used for any purpose or be transferred to any other fund without the approval of a majority of the electors of the school district voting on the question at a referendum.

(5) The school board shall submit a report by January 1 of each odd–numbered year to the governor and the joint committee on finance describing the use of the moneys deposited into the fund under sub. (1) and the effects of that use.

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 0.75 pupil or, if appropriate, as a number equal to the result obtained by multiplying 0.75 by the appropriate fraction under par. (c), (cm) or (d).

SECTION 2128n. 121.004 (8) of the statutes is amended to read:

121.004 **(8)** SUMMER AVERAGE DAILY MEMBERSHIP EQUIVALENT. "Summer average daily membership equivalent" is the ~~sum of all~~ total number of minutes in which pupils are enrolled in academic summer ~~classroom~~ classes or laboratory periods ~~in which each pupil is enrolled as determined by multiplying the total number of periods in each day in which the pupil is enrolled by the total number of days for which the pupil is enrolled~~, as defined by the state superintendent under s. 121.14, divided by ~~1,080~~ 48,600.

Vetoed In Part

SECTION 2128m. 121.02 (1) (L) 5. of the statutes is repealed.

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 2131d. 121.05 (1) (a) 8. of the statutes is amended to read:

121.05 **(1)** (a) 8. Pupils enrolled in ~~a residential school operated by the state~~ the Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the Blind and Visually Impaired under subch. III of ch. 115 for whom the school district is paying tuition under s. 115.53 (2) determined by multiplying the total number of periods in each day in which the pupils are enrolled in the local public school by the total number of days for which the pupils are enrolled in the local public school and dividing the product by 1,080.

SECTION 2132. 121.05 (1) (a) 9. of the statutes is amended to read:

121.05 **(1)** (a) 9. Pupils enrolled in a charter school, other than a charter school under s. 118.40 (2r).

SECTION 2134. 121.05 (1) (a) 11. of the statutes is amended to read:

121.05 **(1)** (a) 11. Pupils residing in the school district but attending a public school in another school district under s. 118.51 or 121.85 (3) (a).

SECTION 2135. 121.07 (1) (a) of the statutes is amended to read:

121.07 **(1)** (a) The membership of the school district in the previous school year and the shared cost for the previous school year shall be used in computing general aid~~, except that the membership used to compute state aid to the school district operating under ch. 119 shall include those pupils who are attending a private school under s. 119.23 in the current school year and were enrolled in grades kindergarten to 3 in a private school located in the city of Milwaukee other than under s. 119.23 in the previous school year~~. If a school district has a state trust fund loan as a result of s. 24.61 (3) (c) 2., the school district's debt service costs shall be based upon current school year costs for the term of the loan and for one additional school year.

SECTION 2135t. 121.07 (6) (a) (intro.) of the statutes is amended to read:

121.07 **(6)** (a) "Shared cost" is the sum of the net cost of the general fund and the net cost of the debt service fund, except that "shared cost" excludes any costs, including attorney fees, incurred by a school district as a result of its participation in a lawsuit commenced against the state, beginning with such costs incurred in the fiscal year in which the lawsuit is commenced, excludes any expenditures from a capital improvement fund created under s. 120.135 and excludes the costs of transporting those transfer pupils for whom the school district operating under ch. 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s. 121.85 (6) (am). In this paragraph, "net cost of the debt service fund" includes all of the following amounts:

Vetoed In Part

SECTION 2136. 121.07 (7) (b) of the statutes is amended to read:

121.07 **(7)** (b) The "secondary guaranteed valuation per member" is an amount, rounded to the next lower dollar, that, after subtraction of payments under ss. 121.09~~, 121.105,~~ and 121.85 (6) (b) 2. and 3. and (c) ~~and 121.86~~, fully distributes an amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac) plus $75,000,000 in the 1997–98 school year and $100,000,000 in the 1998–99 school year for payments under ss. 121.08 ~~and~~, 121.105, 121.85 (6) (a) and (g) and 121.86.

SECTION 2136m. 121.08 (4) of the statutes is created to read:

121.08 **(4)** (a) The amount of state aid that a school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall be reduced by the amount determined as follows:

1. Add the amounts paid under s. 118.40 (2r) in the current school year.

2. Divide the sum under subd. 1. by the total amount of state aid that all school districts are eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under par. (c) had not occurred.

3. Multiply the amount of state aid that the school district is eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under par. (c) had not occurred, by the quotient under subd. 2.

(b) The amount of state aid that the school district operating under ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced by 50% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

(c) The amount of state aid that each school district other than the school district operating under ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced by an amount calculated as follows:

1. Add the amounts paid under s. 119.23 (4) and (4m) in the current school year and divide the sum by 2.

2. Divide the result obtained under subd. 1. by the total amount of state aid that all school districts other than the school district operating under ch. 119 are eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under par. (a) had not occurred.

3. Multiply the amount of state aid that the school district is eligible to be paid from the appropriation under s. 20.225 (2) (ac), calculated as if the reduction under par. (a) had not occurred, by the quotient under subd. 2.

(d) The state superintendent shall ensure that the total amount of aid reduction under pars. (a) to (c) lapses to the general fund.

SECTION 2137. 121.105 (2) (a) 1. of the statutes is amended to read:

121.105 **(2)** (a) 1. If a school district would receive less ~~than 85% of the state aid for the current school year~~ in state aid in the current year than an amount equal to 85% of the state aid that it received ~~as state aid~~ in the previous school year, its state aid for the current school year shall be increased to an amount equal to 85% of the state aid received in the previous school year.

SECTION 2137m. 121.105 (2) (a) 2. of the statutes is amended to read:

121.105 **(2)** (a) 2. If a school district would receive less in state aid in the current school year than an amount equal to the aid that it received in the previous school year minus $1,000,000, its state aid for the current school year shall be increased to an amount equal to the state aid that it received in the previous school year minus $1,000,000.

This subdivision does not apply after the 1998–99 school year.

SECTION 2138. 121.105 (2) (a) 3. of the statutes is amended to read:

121.105 **(2)** (a) 3. A school district eligible for aid under subd. 1. and 2. in the 1998–99 school year shall receive the greater of the aid amounts under subd. 1. or 2. The additional aid shall be paid from the appropriations under s. 20.255 (2) (ac) and (q).

SECTION 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. and less the amount of any revenue limit increase under s. 121.91 (4) (h).

Vetoed In Part

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) (cs), (fm), (fu), (k) and (m), and under ss. 20.275 (1) (d), (es), (et)~~,~~ and (f)~~, (fs) and (u)~~ and 20.285 (1) (ee), (r) and (rc) and those aids appropriated under s. 20.275 (1) (s) that are used to provide grants or educational telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

Vetoed In Part

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 2142b. 121.41 (2) of the statutes is amended to read:

121.41 **(2)** FEES. A school board or the technical college system board may establish and collect reasonable fees for any driver education program or part of a program which is neither required for nor credited toward graduation. The school board or the technical college system board may waive any fee established under this subsection for any indigent pupil.

SECTION 2142m. 121.54 (3) of the statutes is amended to read:

121.54 **(3)** TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board shall provide transportation for children with disabilities, as defined in s. 115.76 (5), to any public or private elementary or high school, to the ~~Wisconsin school for the visually handicapped~~ school operated by the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin ~~school~~ School for the ~~deaf~~ Deaf or to any special education program for children with disabilities sponsored by a state tax–supported institution of higher education, including a technical college, regardless of distance, if the request for such transportation is approved by the state superintendent. Approval shall be based on whether or not the child can walk to school with safety and comfort. Section 121.53 shall apply to transportation provided under this subsection.

SECTION 2142nd. 121.58 (5) of the statutes is amended to read:

121.58 **(5)** STATE SUPERINTENDENT APPROVAL. If the state superintendent is satisfied that transportation or board and lodging was provided in compliance with law, the state superintendent shall certify to the department of administration the sum due the school district. The state superintendent may not certify payment of state aid under sub. (2) for the number of pupils calculated under s. 121.85 (6) (am). In case of differences concerning the character and sufficiency of the transportation or board and lodging, the state superintendent may determine such matter and his or her decision is final.

SECTION 2142nm. 121.85 (6) (a) (intro.) of the statutes is amended to read:

121.85 **(6)** (a) *Intradistrict transfer.* (intro.) ~~The~~ Except as provided under pars. (am) and (ar), the school district of attendance of pupils transferring from one attendance area to another under subs. (3) (b) and (4) shall be entitled to an amount determined as follows:

SECTION 2143. 121.85 (6) (a) 2. of the statutes is amended to read:

121.85 **(6)** (a) 2. Multiply the number of transfer pupils, as counted for membership purposes under s. 121.004 (7), by 0.25.

SECTION 2143m. 121.85 (6) (am) of the statutes is created to read:

121.85 **(6)** (am) *Reduction of intradistrict transfer aid.* The school district operating under ch. 119 may not receive aid under par. (a) for the number of pupils calculated as follows, if the calculation results in a positive number:

1. In the 2000–01 school year:

a. Subtract from 75% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 1. a. by the total number of transfer pupils under par. (a) in the current school year.

2. In the 2001–02 school year:

a. Subtract from 80% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 2. a. by the total number of transfer pupils under par. (a) in the current school year.

3. In the 2002–03 school year:

a. Subtract from 90% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 3. a. by the total number of transfer pupils under par. (a) in the current school year.

4. In the 2003–04 school year:

a. Subtract from 95% the percentage of pupils whose parents or guardians have provided the board of school directors with written consent to a pupil transfer to another attendance area.

b. Multiply the result under subd. 4. a. by the total number of transfer pupils under par. (a) in the current school year.

5. In the 2004–05 school year and each school year thereafter, the number of pupils whose parents or guardians have not provided the board of school directors with written consent to a pupil transfer to another attendance area.

SECTION 2143p. 121.85 (6) (ar) of the statutes is created to read:

121.85 **(6)** (ar) *Hold harmless.* 1. In the 1999–2000 school year, the department shall pay to the school district operating under ch. 119 the greater of the following:

Vetoed In Part

a. The amount of aid received in the 1998–99 school year under par. (a) multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

b. The amount of aid to which the school district is entitled under par. (a).

2. Except as provided in subd. 3., in the 2000–01 school year and in each school year thereafter, the department shall pay to the school district operating under ch. 119 the greater of the following:

Vetoed In Part

a. The amount of aid received in the 1998–99 school year under par. (a), adjusted annually for the school years since 1998–99 by the allowable rate of increase under s. 73.0305 as described under subd. 1. a., less the reduction under par. (am).

b. The amount of aid to which the school district is entitled under par. (a), less the reduction under par. (am).

3. a. If one or more bonds are issued under s. 66.431 (5r), subd. 2. does not apply beginning in the first fiscal year following certification by the secretary of administration to the department that the last principal and interest payment on the bonds has been made.

b. If no bonds are issued under s. 66.431 (5r) by the date specified in that section, subd. 2. does not apply beginning in the first fiscal year following that date.

SECTION 2144. 121.85 (6) (b) 1. of the statutes is repealed.

SECTION 2145. 121.85 (6) (f) of the statutes is repealed.

SECTION 2146g. 121.85 (6m) of the statutes is created to read:

121.85 **(6m)** USE OF AID FOR LEASE OR LOAN PAYMENTS. If the board of directors of the school district operating under ch. 119 leases buildings or sites from the redevelopment authority of the city or borrows money from the redevelopment authority of the city under s. 119.16 (3) (c), it may use intradistrict transfer aid under sub. (6) to make lease payments or repay the loan. If the board of school directors decides to use the aid to make lease payments or repay the loan, it may request the department to remit the intradistrict transfer aid under sub. (6) to the redevelopment authority of the city of Milwaukee in an annual amount agreed to by the board of school directors and the department, and the department shall ensure that the aid remittance does not affect the amount determined to be received by the board of school directors as state aid under s. 121.08 for any other purpose.

SECTION 2146r. 121.85 (7) of the statutes is amended to read:

121.85 **(7)** TRANSPORTATION. Transportation shall be provided to pupils transferring schools under this section if required under subch. IV. Transportation for a pupil attending a public school under sub. (3) (a) outside the pupil's school district of residence shall be provided pursuant to agreement between the school district of residence and the school district of attendance. If either the school district of residence or the school district of attendance operates a program of intradistrict transfers under sub. (3) (b), that school district shall be responsible for the cost of transportation. The school district may meet this responsibility either by contracting directly for provision of transportation or by reimbursing another school district for the cost of such a contract. Transportation for a pupil attending a public school under sub. (3) (b) outside his or her attendance area of residence may be provided by his or her school district. A school district providing transportation under this subsection may not claim transportation aid under subch. IV for pupils so transported. A school district that transports a pupil who moves outside his or her attendance district during the

school year to the school in the pupil's former attendance district may use intradistrict transfer aid under sub. (6) to pay the costs of transporting the pupil.

SECTION 2146w. 121.87 (3) of the statutes is created to read:

121.87 **(3)** In addition to the report under sub. (1), annually by May 1 the board of school directors of the school district operating under ch. 119 shall submit a report to the legislature under s. 13.172 (2) that specifies the number, percentage, race, sex, grade and attendance area of pupils transferred outside their attendance area without written consent under s. 121.85 (6) (am).

SECTION 2146x. 121.90 (1) (c) of the statutes is amended to read:

121.90 **(1)** (c) In determining a school district's revenue limit in the 2000–01 school year, a number equal to 20% of the summer enrollment in 1998 shall be included in the number of pupils enrolled on the 3rd Friday of September 1998; a number equal to 20% of the summer enrollment in 1999 shall be included in the number of pupils enrolled on the 3rd Friday of September 1999; and a number equal to ~~20%~~ 40% of the summer enrollment in the year 2000 shall be included in the number of pupils enrolled on the 3rd Friday of September 2000.

SECTION 2146y. 121.90 (1) (d) of the statutes is repealed and recreated to read:

121.90 **(1)** (d) In determining a school district's revenue limit in the 2001–02 school year, a number equal to 20% of the summer enrollment in the year 1999 shall be included in the number of pupils enrolled on the 3rd Friday of September 1999; a number equal to 40% of the summer enrollment in the year 2000 shall be included in the number of pupils enrolled on the 3rd Friday of September 2000; and a number equal to 40% of the summer enrollment in the year 2001 shall be included in the number of pupils enrolled on the 3rd Friday of September 2001.

SECTION 2146ym. 121.90 (1) (dm) of the statutes is created to read:

121.90 **(1)** (dm) In determining a school district's revenue limit in the 2002–03 school year, a number equal to 40% of the summer enrollment in the year 2000 shall be included in the number of pupils enrolled on the 3rd Friday of September 2000; a number equal to 40% of the summer enrollment in the year 2001 shall be included in the number of pupils enrolled on the 3rd Friday of September 2001; and a number equal to 40% of the summer enrollment in the year 2002 shall be included in the number of pupils enrolled on the 3rd Friday of September 2002.

SECTION 2146z. 121.90 (1) (dr) of the statutes is created to read:

121.90 **(1)** (dr) In determining a school district's revenue limit in the 2003–04 school year and in each school year thereafter, a number equal to 40% of the summer enrollment shall be included in the number of pupils enrolled on the 3rd Friday of September of each appropriate school year.

SECTION 2147. 121.90 (1) (e) of the statutes is created to read:

121.90 **(1)** (e) In determining a school district's revenue limit for the 2000–01 school year or for any school year thereafter, the department shall calculate the number of pupils enrolled in each school year prior to the 2000–01 school year as the number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997 stats.

SECTION 2148. 121.90 (2) (intro.) of the statutes is amended to read:

121.90 **(2)** (intro.) "State aid" means aid under ss. 121.08, 121.09 and 121.105 and subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4) and including adjustments made under s. 121.15 (4), except that "state aid" excludes all of the following:

SECTION 2148m. 121.905 (1) of the statutes is amended to read:

121.905 **(1)** In this section, "revenue ceiling" means ~~$5,900~~ $6,300 in the ~~1997–98~~ 1999–2000 school year and in any subsequent school year means ~~$6,100~~ $6,500.

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 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 there-~~

~~after~~ to an amount that exceeds the amount calculated as follows:

SECTION 2154. 121.91 (2m) (e) of the statutes is renumbered 121.91 (2m) (r), and 121.91 (2m) (r) 1. (intro.) and b. and 2., as renumbered, are amended to read:

121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. (c) ~~and~~, (d) and (e), if a school district is created under s. 117.105, its revenue limit under this section for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided under subs. (3) and (4):

b. Add ~~$206~~ an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a.

2. If a school district is created under s. 117.105, the following adjustments to the calculations under pars. (c) ~~and~~, (d) and (e) apply for the 2 school years beginning on the July 1 following the effective date of the reorganization:

a. For the school year beginning on the first July 1 following the effective date of the reorganization the number of pupils in the previous school year shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1. instead of the average of the number of pupils in the 3 previous school years, and for the school year beginning on the 2nd July 1 following the effective date of the reorganization the average of the number of pupils in the 2 previous school years shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1. instead of the average of the number of pupils in the 3 previous school years.

b. For the school year beginning on the first July 1 following the effective date of the reorganization the average of the number of pupils in the current and the previous school years shall be used under pars. (c) 4. ~~and~~, (d) 4. and (e) 3. instead of the average of the number of pupils in the current and the 2 preceding school years.

SECTION 2155. 121.91 (2m) (e) of the statutes is created to read:

121.91 **(2m)** (e) Except as provided in subs. (3) and (4), no school district may increase its revenues for the 1999–2000 school year or for any school year thereafter to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

2. Multiply the amount of the revenue increase per pupil allowed under this subsection for the previous school year by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

3. Add the result under subd. 1. to the result under subd. 2.

4. Multiply the result under subd. 3. by the average of the number of pupils enrolled in the current and the 2 preceding school years.

SECTION 2157. 121.91 (3) (d) of the statutes is renumbered 121.91 (7) and amended to read:

121.91 **(7)** ~~If~~ Except as provided in sub. (4) (f) 2., if an excess revenue is approved under ~~this subsection~~ sub. (3) for a recurring purpose or allowed under sub. (4), the excess revenue shall be included in the base for determining the limit for the next school year for purposes of this section. If an excess revenue is approved under ~~this subsection~~ sub. (3) for a nonrecurring purpose, the excess revenue shall not be included in the base for determining the limit for the next school year for purposes of this section.

SECTION 2158. 121.91 (4) (f) of the statutes is amended to read:

121.91 **(4)** (f) 1. For the ~~1998–99~~ 1999–2000 school year or any school year thereafter, if the average of the number of pupils enrolled in the current and the 2 preceding school years~~, as calculated under sub. (2m) (d) 4.,~~ is less than the average of the number of pupils enrolled in the 3 previous school years, ~~as calculated under sub. (2m) (d) 1.,~~ the limit otherwise applicable under sub. (2m) ~~(d)~~ (e) is increased by the additional amount that would have been calculated had the decline in average enrollment been 25% of what it was.

2. Any additional revenue received by a school district as a result of subd. 1. shall not be included in the base for determining the school district's limit under sub. (2m) ~~(d)~~ (e) for the following school year.

SECTION 2158m. 121.91 (4) (h) of the statutes is created to read: **Vetoed In Part**

121.91 **(4)** (h) The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by an amount equal to the amount deposited into the capital improvement fund under s. 120.135 in that 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 2164r. 125.12 (1) (a) of the statutes is amended to read:

125.12 **(1)** (a) Except as provided in ~~par. (b)~~ this subsection, any municipality or the department may revoke, suspend or refuse to renew any license or permit under this chapter, as provided in this section.

SECTION 2164s. 125.12 (1) (c) of the statutes is created to read:

125.12 **(1)** (c) Neither a municipality nor the department may consider an arrest or conviction for a violation punishable under s. 945.03 (2m), 945.04 (2m) or 945.05 (1m) in any action to revoke, suspend or refuse to renew a Class "B" or "Class B" license or permit.

SECTION 2165e. 125.26 (2s) of the statutes is created to read:

125.26 **(2s)** (a) In this subsection:

1. "Coliseum" means a multipurpose facility designed principally for sports events, with a capacity of 18,000 or more persons.

2. "Concessionaire" means a person designated by the owner or operator of a coliseum to operate premises in the coliseum and to provide fermented malt beverages to holders of coliseum suites.

(b) Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class "B" license authorizes a person operating a coliseum or a concessionaire to furnish the holder of a coliseum suite who has attained the legal drinking age with a selection of fermented malt beverages in the coliseum suite that is not part of the Class "B" premises. Fermented malt beverages furnished under this paragraph shall be furnished in original packages or containers and stored in a cabinet, refrigerator or other secure storage place. The cabinet, refrigerator or other secure storage place or the coliseum suite must be capable of being locked. The cabinet, refrigerator or other secure storage place or the coliseum suite shall be locked, or the fermented malt beverages shall be removed from the coliseum suite, when the coliseum suite is not occupied and when fermented malt beverages are not being furnished under this paragraph. Fermented malt beverages may be furnished at the time the holder occupies the coliseum suite, but for purposes of this chapter, the sale of fermented malt beverages furnished under this paragraph is considered to occur at the time and place that the holder pays for the fermented malt beverages. Notwithstanding s. 125.32 (3), the holder of a coliseum suite may pay for the fermented malt beverages at any time if he or she pays in accordance with the terms of an agreement with the person operating the coliseum or with the concessionaire. An individual who stocks or accepts payment for alcohol beverages under this paragraph shall be the licensee, the agent named in the license if the licensee is a corporation or limited liability company or the holder of a manager's or operator's license or be supervised by one of those individuals.

SECTION 2165j. 125.51 (3) (bs) of the statutes is created to read:

125.51 **(3)** (bs) 1. In this paragraph:

a. "Coliseum" means a multipurpose facility designed principally for sports events, with a capacity of 18,000 or more persons.

b. "Concessionaire" means a person designated by the owner or operator of a coliseum to operate premises in the coliseum and to provide intoxicating liquor to holders of coliseum suites.

2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a "Class B" license authorizes a person operating a coliseum to furnish the holder of a coliseum suite who has attained the legal drinking age with a selection of intoxicating liquor in the coliseum suite that is not part of the "Class B" premises. Intoxicating liquor furnished under this subdivision shall be furnished in original packages or containers and stored in a cabinet, refrigerator or other secure storage place. The cabinet, refrigerator or other secure storage place or the coliseum suite must be capable of being locked. The cabinet, refrigerator or other secure storage place or the coliseum suit shall be locked, or the intoxicating liquor shall be removed from the coliseum suit, when the coliseum suit is not occupied and when intoxicating liquor is not being furnished under this subdivision. Intoxicating liquor may be furnished at the time the holder of the coliseum suite occupies the coliseum suite, but for purposes of this chapter, the sale of intoxicating liquor furnished under this subdivision is considered to occur at the time and place that the holder pays for the intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the holder of a coliseum suite may pay for the intoxicating liquor at any time if he or she pays in accordance with an agreement with the person operating the coliseum or with the concessionaire. An individual who stocks or accepts payment for alcohol beverages under this subdivision shall be the licensee, the agent named in the license if the licensee is a corporation or limited liability company or the holder of a manager's or operator's license or be supervised by one of those individuals.

SECTION 2165L. 125.51 (3m) (c) of the statutes is amended to read:

125.51 **(3m)** (c) A "Class C" license may be issued to a person qualified under s. 125.04 (5) for a restaurant in which the sale of alcohol beverages accounts for less than 50% of gross receipts and which does not have a barroom ~~if the municipality's quota under sub. (4) prohibits the municipality from issuing a "Class B" license to that person~~ or for a restaurant in which the sale of alcohol beverages accounts for less than 50% of gross receipts and which has a barroom in which wine is the only intoxicating liquor sold. A "Class C" license may not be issued to a foreign corporation, a foreign limited liability company or a person acting as agent for or in the employ of another.

SECTION 2165m. 125.51 (4) (v) 2. of the statutes is amended to read:

125.51 **(4)** (v) 2. A hotel that has ~~100~~ 50 or more rooms of sleeping accommodations and that has either an attached restaurant with a seating capacity of 150 or more persons or a banquet room in which banquets attended by 400 or more persons may be held.

SECTION 2165mg. 134.48 of the statutes is created to read:

134.48 Contracts for the display of free newspapers. (1) DEFINITIONS. In this section:

(a) "Newspaper" means a publication that is printed on newsprint and that is published, printed and distributed periodically at daily, weekly or other short intervals for the dissemination of current news and information of a general character and of a general interest to the public.

(b) "Place of public accommodation" means a business, accommodation, refreshment, entertainment, recreation or transportation facility where goods, services, facilities, privileges, advantages or accommodations are offered, sold or otherwise made available to the public.

(2) A contract for the display of a newspaper that is distributed free of charge to the public in a place of public accommodation may not prohibit the person displaying the newspaper for distribution from displaying any other newspaper that is distributed free of charge to the public. A provision in a contract that violates this subsection is unenforceable, but does not affect the enforceability of the remaining provisions of the contract.

SECTION 2165mr. 134.66 (2) (a) of the statutes is amended to read:

134.66 **(2)** (a) No retailer, manufacturer, distributor, jobber or subjobber, no agent, employe or independent contractor of a retailer, manufacturer, distributor, jobber or subjobber and no agent or employe of an independent contractor may sell or provide for nominal or no consideration cigarettes or tobacco products to any person under the age of 18, except as provided in s. ~~938.983 (3)~~ 254.92 (2) (a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

SECTION 2165n. 134.66 (2) (b) 1. of the statutes is amended to read:

134.66 **(2)** (b) 1. A retailer shall post a sign in areas within his or her premises where cigarettes or tobacco products are sold to consumers stating that the sale of any cigarette or tobacco product to a person under the age of 18 is unlawful under this section and s. ~~938.983~~ 254.92.

SECTION 2165p. 134.66 (2) (b) 2. of the statutes is amended to read:

134.66 **(2)** (b) 2. A vending machine operator shall attach a notice in a conspicuous place on the front of his or her vending machines stating that the purchase of any cigarette or tobacco product by a person under the age of 18 is unlawful under s. ~~938.983~~ 254.92 and that the purchaser is subject to a forfeiture of not to exceed $25.

Vetoed In Part

SECTION 2165rx. 134.73 of the statutes is created to read:

134.73 Identification of prisoner making telephone solicitation. (1) DEFINITIONS. In this section:

(a) "Contribution" has the meaning given in s. 440.41 (5).

(b) "Prisoner" means a prisoner of any public or private correctional or detention facility that is located within or outside this state.

(c) "Solicit" has the meaning given in s. 440.41 (8).

(d) "Telephone solicitation" means the unsolicited initiation of a telephone conversation for any of the following purposes:

1. To encourage a person to purchase property, goods or services.

2. To solicit a contribution from a person.

3. To conduct an opinion poll or survey.

(2) REQUIREMENTS. A prisoner who makes a telephone solicitation shall do all of the following immediately after the person called answers the telephone:

(a) Identify himself or herself by name.

(b) State that he or she is a prisoner.

(c) Inform the person called of the name of the correctional or detention facility in which he or she is a prisoner and the city and state in which the facility is located.

(3) TERRITORIAL APPLICATION. (a) *Intrastate.* This section applies to any intrastate telephone solicitation.

(b) *Interstate.* This section applies to any interstate telephone solicitation received by a person in this state.

(4) PENALTIES. (a) A prisoner who violates this section may be required to forfeit not more than $500.

(b) If a person who employes a prisoner to engage in telephone solicitation is concerned in the commission of a violation of this section as provided under s. 134.99, the person may be required to forfeit not more than $10,000.

SECTION 2165rz. 134.95 (2) of the statutes is amended to read:

Vetoed In Part

134.95 **(2)** SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71, 134.72, 134.73 or 134.87 or ch. 136 or a rule promulgated under these sections or that chapter, the person shall be subject to a supplemental forfeiture not to exceed $10,000 for that violation if the conduct by the defendant, for which the fine or forfeiture was imposed, was perpetrated against an elderly person or disabled person and if any of the factors under s. 100.264 (2) (a), (b) or (c) is present.

SECTION 2166e. 135.02 (3) of the statutes is renumbered 135.02 (3) (intro.) and amended to read:

135.02 **(3)** (intro.) "Dealership" means ~~a~~ any of the following:

(a) A contract or agreement, either expressed or implied, whether oral or written, between 2 or more persons, by which a person is granted the right to sell or distribute goods or services, or use a trade name, trademark, service mark, logotype, advertising or other commercial symbol, in which there is a community of interest in the business of offering, selling or distributing goods or services at wholesale, retail, by lease, agreement or otherwise.

SECTION 2166m. 135.02 (3) (b) of the statutes is created to read:

135.02 **(3)** (b) A contract or agreement, either expressed or implied, whether oral or written, between 2 or more persons by which a wholesaler, as defined in s. 125.02 (21), is granted the right to sell or distribute intoxicating liquor, as defined in s. 125.02 (8), or use a trade name, trademark, service mark, logotype, advertising or other commercial symbol related to intoxicating liquor. This paragraph does not apply to dealerships described in s. 135.066 (5) (a) and (b).

Vetoed In Part

SECTION 2166s. 135.066 of the statutes is created to read:

135.066 Intoxicating liquor dealerships. (1) LEGISLATIVE FINDINGS. The legislature finds that a balanced and healthy 3–tier system for distributing intoxicating liquor is in the best interest of this state and its citizens; that the 3–tier system for distributing intoxicating liquor has existed since the 1930's; that a balanced and healthy 3–tier system ensures a level system between the manufacturer and wholesale tiers; that a wholesale tier consisting of numerous healthy competitors is necessary for a balanced and healthy 3–tier system; that the number of intoxicating liquor wholesalers in this state is in significant decline; that this decline threatens the health and stability of the wholesale tier; that the regulation of all intoxicating liquor dealerships, regardless of when they were entered into, is necessary to promote and maintain a wholesale tier consisting of numerous healthy competitors; and that the maintenance and promotion of the 3–tier system will promote the public health, safety and welfare. The legislature further finds that a stable and healthy wholesale tier provides an efficient and effective means for tax collection. The legislature further finds that dealerships between intoxicating liquor wholesalers and manufacturers have been subject to state regulation since the enactment of the 21st Amendment to the U.S. Constitution and that the parties to those dealerships expect changes to state legislation regarding those dealerships.

(2) DEFINITIONS. In this section: Vetoed

(a) "Intoxicating liquor" has the meaning given in s. 125.02 (8). In Part Vetoed

(b) "Net revenues" means the gross dollar amount received from the sale of intoxicating liquor minus adjustments for returns, discounts and allowances. In Part Vetoed

(c) "Wholesaler" has the meaning given in s. 125.02 (21). In Part

(d) "Wine" has the meaning given in 125.02 (22). Vetoed

(3) LIABILITY OF TRANSFEREE OF INTOXICATING LIQUOR GRANTOR. (a) In this subsection: In Part Vetoed

1. "Goodwill" includes the use of a trademark, trade name, logotype or other commercial symbol, and the use of a variation of a trademark, trade name, logotype, advertisement or other commercial symbol. In Part

2. "Transferee" means a person who acquires any asset or activity of a grantor's intoxicating liquor business and who uses the goodwill associated with the intoxicating liquor of the grantor.

(b) A transferee shall be bound by each of the grantor's dealerships with the grantor's wholesalers and consequently shall be considered a grantor for purposes of, and shall comply with, the requirements of this chapter.

(4) CHANGE IN OWNERSHIP. (a) In this subsection, "successor wholesaler" means a wholesaler who succeeds to the management, ownership or control of a wholesaler or wholesaler's business or any part of a wholesaler's business by any means including by stock purchase, sale of assets or transfer or assignment of a brand of intoxicating liquor that is the subject of a dealership agreement. Vetoed In Part

(b) A change in the management, ownership or control of a wholesaler, a wholesaler's business or any part of a wholesaler's business is not good cause for a grantor to terminate, cancel, fail to renew or substantially change the competitive circumstances of its dealership with a successor wholesaler if the successor wholesaler meets the grantor's reasonable and material qualifications for wholesaler applicants in effect at the time of the change. If the successor wholesaler meets the grantor's reasonable and material qualifications for wholesaler applicants in effect at the time of the change, the successor wholesaler shall succeed to the dealership rights of the predecessor wholesaler and the grantor shall continue to be bound by the dealership.

(5) NONAPPLICABILITY. This section does not apply to any of the following dealerships:

(a) Dealerships in which a grantor, including any affiliate, division or subsidiary of the grantor, has never produced more than 200,000 gallons of intoxicating liquor in any year.

(b) Dealerships in which the dealer's net revenues from the sale of all of the grantor's brands of intoxicating liquor, except wine, constitute less than 5% of the dealer's total net revenues from the sale of intoxicating liquor, except wine, during the dealer's most recent fiscal year preceding a grantor's cancellation or alteration of a dealership and the dealer's net revenues from the sale of all of the grantor's brands of wine constitute less than 5% of the dealer's total net revenues from the sale of wine during the dealer's most recent fiscal year preceding a grantor's cancellation or alteration of a dealership.

Vetoed In Part

Vetoed In Part

(6) SEVERABILITY. The provisions of this section are severable as provided in s. 990.001 (11).

SECTION 2166t. 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 2167a. 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 2168a. 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 2169a. 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 2169g. 138.056 (1) (b) of the statutes is amended to read:

138.056 **(1)** (b) "Dwelling" includes a cooperative housing unit and a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

SECTION 2169m. 138.056 (1) (c) of the statutes is amended to read:

138.056 **(1)** (c) "Mobile home transaction" means a consumer credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301 (12), secured by a first lien or equivalent security interest in a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

SECTION 2169pc. 138.09 (1m) (b) 1. (intro.) of the statutes is amended to read:

138.09 **(1m)** (b) 1. (intro.) ~~An~~ Except as provided in par. (c), an application under par. (a) for a license shall contain the following:

SECTION 2169pf. 138.09 (1m) (c) of the statutes is created to read:

138.09 **(1m)** (c) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Notwithstanding sub. (3) (b), any license issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1. is invalid.

SECTION 2169pm. 138.09 (3) (am) 1. of the statutes is amended to read:

138.09 **(3)** (am) 1. The applicant fails to provide ~~the~~ any information required under sub. (1m) (b).

SECTION 2169r. 138.09 (7) (jm) 1. b. of the statutes is amended to read:

138.09 **(7)** (jm) 1. b. The loan administration fee is charged for a consumer loan that is secured primarily by an interest in real property or in a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

SECTION 2170d. 138.12 (3) (d) 1. (intro.) of the statutes is amended to read:

138.12 **(3)** (d) 1. (intro.) ~~An~~ Except as provided in par. (e), an application for a license under this section shall contain the following:

SECTION 2170g. 138.12 (3) (e) of the statutes is created to read:

138.12 **(3)** (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Any license issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1. is invalid.

SECTION 2170h. 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 2170n. 138.12 (5) (am) 1. c. of the statutes is amended to read:

138.12 **(5)** (am) 1. c. In the case of a licensee who is an individual, the applicant ~~fails to provide his or her social security number,~~ fails to comply, after appropriate notice, with a subpoena or warrant that is issued by the department of workforce development or a county child support agency under s. 59.53 (5) and that is related to paternity or child support proceedings or the applicant is delinquent in making 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, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose renewal application is denied under this subd. 1. c. is entitled to a notice and hearing under s. 49.857 but is not entitled to a hearing under par. (b).

SECTION 2170s. 139.03 (5) (b) of the statutes is renumbered 139.03 (5) (b) 1. and amended to read:

139.03 **(5)** (b) 1. ~~Any~~ Except as provided in subd. 2., any person, except an underage person as defined under s. 125.02 (20m), who leaves a foreign country, after spending at least 48 hours in that foreign country, with the purpose of entering this state may have in that person's possession and bring into the state intoxicating liquor or wine in sealed original containers in amounts not to exceed, in the aggregate, 4 liters without payment of the tax imposed under this subchapter. The 4 liters of tax–free intoxicating liquor and wines may not be sent, shipped or carried into the state other than in the immediate possession of the person as qualified by this subsection.

SECTION 2170t. 139.03 (5) (b) 2. of the statutes is created to read:

139.03 **(5)** (b) 2. A person who is a member of the national guard, the U. S. armed forces or a reserve component of the U. S. armed forces; who is a state resident; and who leaves a foreign country, after spending at least 48 hours in that foreign country on duty or for training, with the purpose of entering into this state may bring into the state, in sealed original containers and in the person's immediate possession, intoxicating liquor and wine in an aggregate amount not exceeding 16 liters without paying the tax imposed under this subchapter on that amount. **Vetoed In Part**

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 2171m. 139.30 (13m) of the statutes is created to read:

139.30 **(13m)** "Trust lands" means any lands in this state held in trust by the U. S. government for the benefit of a tribe or a member of a tribe.

SECTION 2171p. 139.32 (5) of the statutes is amended to read: **Vetoed In Part**

139.32 **(5)** Manufacturers and distributors having a permit from the secretary shall receive a discount of ~~1.6%~~ 2% of the tax.

SECTION 2173. 139.75 (4d) of the statutes is created to read:

139.75 **(4d)** "Enrolled member" has the meaning given in s. 139.30 (4).

SECTION 2174. 139.75 (4p) of the statutes is created to read:

139.75 **(4p)** "Indian tribe" has the meaning given in s. 139.30 (5).

SECTION 2175. 139.75 (6m) of the statutes is created to read:

139.75 **(6m)** "Reservation" has the meaning given in s. 139.30 (9).

SECTION 2175m. 139.75 (12m) of the statutes is created to read:

139.75 **(12m)** "Trust lands" has the meaning given in s. 139.30 (13m).

SECTION 2176. 139.76 (1) of the statutes is amended to read:

139.76 **(1)** An ~~occupational~~ 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 prod-

ucts actually sold as provided in sub. (2), shall be subject to such tax.

SECTION 2177. 139.76 (2) of the statutes is amended to read:

139.76 **(2)** Tobacco products sold to or by post exchanges of the U.S. armed forces, to or by federally or state–operated veterans hospitals in this state, and tobacco products sold to an interstate carrier of passengers for hire to be resold to bona fide passengers actually being transported and tobacco products sold for shipment outside this state in interstate commerce are not subject to the tax. ~~The tax imposed by sub. (1) and s. 139.78 shall not apply with respect to any tobacco products which under the constitution and laws of the United States may not be taxed by this state.~~

SECTION 2178. 139.803 of the statutes is created to read:

139.803 Refunds to Indian tribes. The department may refund 70% of the taxes collected under s. 139.76 (1) in respect to sales on reservations or trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over the reservation or trust land on which the sale is made only if all of the following conditions are fulfilled:

Vetoed In Part

(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). If the department enters into an agreement with an Indian tribe, the agreement may provide for refunding 100% of that tax on tobacco products sold on the tribal reservation to enrolled members of the tribe residing on the tribal reservation and may provide for refunding not more than 50% of that tax on tobacco products sold on the tribal reservation to persons who are not enrolled members of the tribe residing on the tribal reservation.

Vetoed In Part

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. 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.

SECTION 2216m. 145.245 (4) (a) of the statutes is amended to read:

Vetoed In Part

145.245 **(4)** (a) The discharge of sewage into a surface water determined to be outstanding resource water by the department of natural resources by rule or into groundwater.

SECTION 2217m. 145.245 (4) (c) of the statutes is amended to read:

145.245 **(4)** (c) The discharge of sewage to a drain tile or into zones of bedrock or a surface water other than a surface water described in par. (a).

SECTION 2219m. 145.245 (4m) (a) to (c) of the statutes are amended to read:

145.245 **(4m)** (a) Category 1: failing private sewage systems described in sub. (4) (a) ~~to (c)~~.

(b) Category 2: failing private sewage systems described in sub. (4) ~~(d)~~ (b) and (c).

(c) Category 3: failing private sewage systems described in sub. (4) ~~(e)~~ (d).

SECTION 2219p. 145.245 (4m) (d) of the statutes is created to read:

145.245 **(4m)** (d) Category 4: failing private sewage systems described in sub. (4) (e).

SECTION 2220. 145.245 (5) (a) 1. of the statutes is amended to read:

145.245 **(5)** (a) 1. A person is eligible for grant funds under this section if he or she owns a principal residence which is served by a category 1 or 2 failing private sewage system, if the ~~residence was constructed prior to and inhabited on~~ private sewage system was installed before July 1, 1978, if the family income of the person does not exceed the income limitations under par. (c), if the amount of the grant determined under sub. (7) is at least $100, if the residence is not located in an area served by a sewer and if determination of failure is made prior to the rehabilitation or replacement of the failing private sewage system.

SECTION 2221m. 145.245 (5) (a) 1. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

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 or 3 failing private sewage system, if the sewage system was installed before

Vetoed In Part

July 1, 1978, if the family income of the person does not exceed the income limitations under par. (c), if the amount of the grant determined under sub. (7) is at least $100, if the residence is not located in an area served by a sewer and if determination of failure is made prior to the rehabilitation or replacement of the failing private sewage system.

SECTION 2222. 145.245 (5) (a) 2. of the statutes is amended to read:

145.245 **(5)** (a) 2. A business is eligible for grant funds under this section if it owns a small commercial establishment which is served by a category 1 or 2 failing private sewage system, if the ~~small commercial establishment was constructed prior to~~ 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.

Vetoed In Part

SECTION 2223m. 145.245 (5) (a) 2. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

145.245 **(5)** (a) 2. A business is eligible for grant funds under this section if it owns a small commercial establishment which is served by a category 1 ~~or~~, 2 or 3 failing private sewage system, if the private sewage system was installed before July 1, 1978, if the gross revenue of the business does not exceed the limitation under par. (d), if the small commercial establishment is not located in an area served by a sewer and if a determination of failure is made prior to the rehabilitation or replacement of the private sewage system.

SECTION 2224m. 145.245 (5) (a) 3. of the statutes is amended to read:

145.245 **(5)** (a) 3. A person who owns a principal residence or small commercial establishment which is served by a category 1 ~~or~~, 2 or 3 failing private sewage system may submit an application for grant funds during the 3–year period after the determination of failure is made. Grant funds may be awarded after work is completed if rehabilitation or replacement of the system meets all requirements of this section and rules promulgated under this section.

SECTION 2225. 145.245 (5) (c) 2. of the statutes is amended to read:

145.245 **(5)** (c) 2. Except as provided under subd. 4., annual family income shall be based upon the 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 2228m. 145.245 (5m) (a) of the statutes is amended to read: Vetoed In Part

145.245 **(5m)** (a) The department or a governmental unit shall deny a grant application under this section if the applicant or a person who would be directly benefited by the grant intentionally caused the conditions which resulted in a category 1 ~~or~~, 2 or 3 failing private sewage system. The department or governmental unit shall notify the applicant in writing of a denial, including the reason for the denial.

SECTION 2229. 145.245 (5m) (b) of the statutes is amended to read:

145.245 **(5m)** (b) The department shall notify a governmental unit if ~~it receives a certification under s. 49.855 (7) that an individual is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ an individual's name appears on the statewide support lien docket under s. 49.854 (2) (b). The department or a governmental unit shall deny an application under this section if the ~~department receives a certification under s. 49.855 (7) that~~ name of the applicant or an individual who would be directly benefited by the grant ~~is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ appears on the statewide support lien docket under s. 49.854 (2) (b), unless the applicant or individual

who would be benefited by the grant provides to the department or governmental unit a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

Vetoed In Part

SECTION 2231m. 145.245 (7) (d) of the statutes is amended to read:

145.245 **(7)** (d) Except as provided in par. (e), if the income of a person who owns a principal residence that is served by a category 1 ~~or~~, 2 or 3 failing private sewage system is greater than $32,000, the amount of the grant under this section is limited to the amount determined under par. (c) less 30% of the amount by which the person's income exceeds $32,000.

SECTION 2236r. 145.245 (11m) (am) of the statutes is created to read:

145.245 **(11m)** (am) Except as provided in par. (d), if funds are sufficient to fully fund all category 1 and 2 failing private sewage systems but not all category 3 failing private sewage systems, the department shall fully fund all category 1 and 2 systems and prorate the funds for category 3 systems on a proportional basis.

SECTION 2237g. 145.245 (11m) (b) of the statutes is amended to read:

145.245 **(11m)** (b) Except as provided in par. (d), if funds are sufficient to fully fund all category 1 but not all category 2 failing private sewage systems, the department shall fully fund all category 1 systems ~~and~~, prorate the funds for category 2 systems on a proportional basis and deny the grant applications for all category 3 systems.

SECTION 2237i. 145.245 (11m) (c) of the statutes is amended to read:

145.245 **(11m)** (c) Except as provided in par. (d), if funds are not sufficient to fully fund all category 1 failing private sewage systems, the department shall fund the category 1 systems on a proportional basis and deny the grant applications for all category 2 and 3 systems.

SECTION 2238. 145.245 (12m) of the statutes is created to read:

145.245 **(12m)** LOANS TO GOVERNMENTAL UNITS. (a) A governmental unit to which the department allocates funds under sub. (11) for a fiscal year may apply to the department for a loan under this subsection if the department prorates funds under sub. (11m) for that fiscal year. A governmental unit may only use a loan under this subsection to increase the amounts of grants to persons eligible under sub. (5) above the amounts that would be provided without a loan under this subsection or to provide grants to persons eligible under sub. (5) who would otherwise not receive grants, because of the operation of sub. (11m) (c), but the total amount provided to a person under this section may not exceed the amount authorized under sub (7).

(b) A loan under this subsection bears no interest. A loan under this subsection may not exceed the difference between the amount of the grant that the governmental unit would have received if the department had not prorated grants under sub. (11) and the amount of the grant that the governmental unit did receive. If the amount available for loans under s. 20.320 (3) (q) in a fiscal year is not sufficient to provide loans to all eligible governmental units applying for loans, the department shall allocate the available funds in the same manner as in sub. (11) (c).

(c) A loan approved under this subsection shall be for no longer than 20 years, as determined by the department of administration, and be fully amortized not later than 20 years after the original date of the note.

(d) As a condition of receiving a loan under this subsection an applicant shall do all of the following:

1. Pledge the security, if any, required by the department of administration under this subsection.

2. Demonstrate to the satisfaction of the department of administration the financial capacity to assure sufficient revenues to repay the loan.

(e) The department of commerce and the department of administration may enter into a financial assistance agreement with a governmental unit that applies for a loan under this subsection and meets the eligibility requirements for a loan, including the requirements under par. (d).

(f) The department of administration, in consultation with the department of commerce, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation is required for the repayment of the financial assistance. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

(g) The department of administration shall make and disburse a loan to an applicant that has entered into a financial assistance agreement under par. (e). The department of administration, in consultation with the department of commerce, shall establish procedures for disbursing loans.

(h) If a governmental unit fails to make a principal repayment after its due date, the department of administration shall place on file a certified statement of all amounts due under this subsection. After consulting the department of commerce, the department of administration may collect all amounts due by deducting those amounts from any state payments due the governmental unit or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of commerce of that action.

SECTION 2240r. 146.185 of the statutes is created to read:

146.185 Minority health. (1) In this section:

(a) "African American" means a person whose ancestors originated in any of the black racial groups of Africa.

(b) "American Indian" means a person who is enrolled as a member of a federally recognized American Indian tribe or band or who possesses documentation of at least one–fourth American Indian ancestry or documentation of tribal recognition as an American Indian.

(c) "Asian" means a person whose ancestors originated in Asia south and southeast of the Himalayas and west of Wallace's Line in the Malay Archipelago.

(d) "Economically disadvantaged" means having an income that is at or below 125% of the poverty line.

(e) "Hispanic" means a person of any race whose ancestors originated in Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or origin is Spanish.

(f) "Minority group member" means any of the following:

1. An African American.
2. An American Indian.
3. A Hispanic.
4. An Asian.

(g) "Nonprofit corporation" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

(h) "Poverty line" means the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 9902 (2).

(i) "State agency" has the meaning given in s. 16.70 (1).

(2) The department shall do all of the following:

(a) Identify the barriers to health care that prevent economically disadvantaged minority group members in this state from participating fully and equally in all aspects of life.

(b) Conduct statewide hearings on issues of concern to the health interests of economically disadvantaged minority group members.

(c) Review, monitor and advise all state agencies with respect to the impact on the health of economically disadvantaged minority group members of current and emerging state policies, procedures, practices, statutes and rules.

(d) Work closely with all state agencies, including the board of regents of the University of Wisconsin System and the technical college system board, with the University of Wisconsin Hospitals and Clinics Authority, with the private sector and with groups concerned with issues of the health of economically disadvantaged minority group members to develop long–term solutions to health problems of minority group members.

(e) Disseminate information on the status of the health of economically disadvantaged minority group members in this state.

(f) Encourage economically disadvantaged minority group members who are students to enter career health care professions, by developing materials that are culturally sensitive and appropriate and that promote health care professions as careers, for use by the University of Wisconsin System, the technical college system and the Medical College of Wisconsin in recruiting the students.

(g) Submit a biennial report on the activities of the department under this section that includes recommendations on program policies, procedures, practices and services affecting the health status of economically disadvantaged minority group members, to the appropriate standing committees under s. 13.172 (3) and to the governor.

(3) From the appropriation under s. 20.435 (5) (fh), the department shall award grants for activities to improve the health status of economically disadvantaged minority group members. A person may apply, in the manner specified by the department, for a grant of up to $50,000 in each fiscal year to conduct these activities. A grant awarded under this subsection may not exceed 50% of the cost of the activities. An applicant's required contribution for a grant may consist of funding or an in–kind contribution.

(4) From the appropriation under s. 20.435 (5) (fh), the department shall award a grant of up to $100,000 in each fiscal year to a private nonprofit corporation that applies, in the manner specified by the department, to conduct a public information campaign on minority health.

SECTION 2241. 146.19 (2) (intro.) of the statutes is amended to read:

146.19 **(2)** COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS. (intro.) From the appropriation under s. 20.435 (5) ~~(ek)~~ (ke), the department shall award grants for cooperative American Indian health projects in order to promote cooperation among tribes, tribal agencies, inter–tribal organizations and other agencies and organizations in addressing specific problem areas in the field of American Indian health. A tribe, tribal agency or inter–tribal organization may apply, in the manner specified by the department, for a grant of up to $10,000 to conduct a cooperative American Indian health project, which meets all of the following requirements:

Vetoed In Part

SECTION 2241c. 146.19 (2m) of the statutes is created to read:

146.19 **(2m)** GRANTS TO TRIBAL HEALTH CENTERS. Subject to 1999 Wisconsin Act .... (this act), section 9123 (6tu), from the appropriation under s. 20.435 (5) (ke), the department shall award grants for the provision or purchase of health care services for tribal members and their families to tribal health care entities that provide primary

Vetoed In Part

health care, health education and social services to tribal members and their families and to tribal employes. The department shall establish by rule criteria for distributing grants to the health care entities. In developing the criteria, the department shall consider each tribe's financial need, resources available to each tribe and other demographic health status indicators.

SECTION 2249m. 146.40 (4d) (a) of the statutes is amended to read:

146.40 **(4d)** (a) ~~The~~ Except as provided in par. (am), the department shall require each applicant to provide the department with his or her social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing a certification under sub. (3) or an approval under sub. (3m).

SECTION 2249mi. 146.40 (4d) (am) of the statutes is created to read:

146.40 **(4d)** (am) If an individual who applies for a certification or approval under par. (a) does not have a social security number, the individual, as a condition of obtaining certification or approval, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certification or approval issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 2249n. 146.40 (4d) (c) of the statutes is amended to read:

146.40 **(4d)** (c) ~~The~~ Except as provided in par. (am), the department shall deny an application for the issuance of a certification or approval specified in par. (a) if the applicant does not provide the information specified in par. (a).

SECTION 2249p. 146.51 (1) (intro.) of the statutes is amended to read:

146.51 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, as a condition of issuing or renewing any of the following:

SECTION 2249q. 146.51 (1m) of the statutes is created to read:

146.51 **(1m)** If an individual who applies for or to renew a license, training permit or certification under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license, training permit or certification, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license, training permit or certification issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 2249r. 146.52 (1) (intro.) of the statutes is amended to read:

146.52 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with his or her social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing or renewing any of the following:

SECTION 2249s. 146.52 (1m) of the statutes is created to read:

146.52 **(1m)** If an individual who applies for or to renew a license, training permit or certificate under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license, training permit or certificate, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license, training permit or certificate issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 2249t. 146.52 (3) of the statutes is amended to read:

146.52 **(3)** ~~The~~ Except as provided in sub. (1m), the department shall deny an application for the issuance or renewal of a license, certificate or permit specified in sub. (1) if the applicant does not provide the information specified in sub. (1).

SECTION 2251. 146.56 (1) of the statutes is amended to read:

146.56 **(1)** Not later than July 1, ~~2001~~ 2002, the department shall develop and implement a statewide trauma care system. The department shall seek the advice of the statewide trauma advisory council under s. 15.197 (25) in developing and implementing the system.

SECTION 2251d. 146.57 (title) of the statutes is amended to read:

146.57 (title) **Statewide poison control ~~program~~ system.**

SECTION 2251e. 146.57 (1m) of the statutes is created to read:

146.57 **(1m)** DEFINITIONS. In this section:

(a) "Appropriate health–oriented background" means one of the following:

1. Licensure as an emergency medical technician — basic, emergency medical technician — intermediate or emergency medical technician — paramedic under s. 146.50 (5) (a).

2. Licensure as a licensed practical nurse under s. 441.10 (3).

3. Completion of a training program directed by a physician specializing in toxicology and, as determined by the medical director of a poison control center, background sufficient to understand and interpret standard poison information resources and to transmit that infor-

mation understandably to both health professionals and the public under the direct supervision of a staff member specified under sub. (3m) (b) 1. to 7. or the medical director.

(b) "On–line staff member" means a member of the staff of a poison control center who personally responds to telephone inquiries received by the poison control center.

(c) "Pharmacist" has the meaning given in s. 450.01 (15).

(d) "Physician" has the meaning given in s. 448.01 (5).

(e) "Poison control services" means poison prevention education, and rapid and accurate poison interpretation, poison intervention and management information.

(f) "Registered nurse" means a nurse who is licensed under s. 441.06.

(g) "School of pharmacy" means a school of pharmacy that is accredited by the American Council on Pharmaceutical Education.

SECTION 2251f. 146.57 (3) (a) of the statutes is amended to read:

146.57 **(3)** (a) The department shall implement a statewide poison control ~~program~~ system, which shall provide poison control services that are available statewide, on a 24–hour per day and 365–day per year basis and shall provide poison information and education to health care professionals and the public. From the appropriation under s. 20.435 (5) (ds), the department shall, if the requirement under par. (b) is met, distribute total funding of not more than $375,000 in each fiscal year to supplement the operation of the ~~program~~ system and to provide for the statewide collection and reporting of poison control data. The department may, but need not, distribute all of the funds in each fiscal year to a single poison control center.

SECTION 2251g. 146.57 (3m) of the statutes is created to read:

146.57 **(3m)** REQUIREMENTS OF POISON CONTROL CENTERS. (a) A poison control center shall maintain telephone services capable of providing rapid, accurate and complete poison information that is accessible throughout the state and that is free to users through a statewide toll–free hotline.

(b) An on–line staff member who interprets poison exposure data and provides poison intervention and management information shall be one of the following:

1. A registered nurse.

2. A pharmacist.

3. A physician.

4. A person who is certified by or eligible for certification by the American Association of Poison Control Centers as a specialist in poison information.

5. A school of pharmacy graduate who is in residency training.

6. A school of pharmacy enrollee who has completed the 2nd professional practice year.

7. A person who was employed as an on–line staff member on May 1, 1994, who has worked in that capacity at the poison control center for at least 3 years and who annually receives at least 16 documented hours of continuing education in interpreting poison exposure data and providing poison intervention and management information.

8. A person who is designated as a poison information provider, annually receives at least 16 documented hours of job–relevant continuing education and has an appropriate health–oriented background.

SECTION 2252m. 146.81 (1) (eq) of the statutes is created to read:

146.81 **(1)** (eq) An athletic trainer licensed under subch. VI of ch. 448.

SECTION 2253gm. 146.819 (4) (e) of the statutes is repealed.

SECTION 2253r. 146.84 (3) of the statutes is amended to read:

146.84 **(3)** DISCIPLINE OF EMPLOYES. Any person employed by the state~~,~~ or any political subdivision of the state who violates s. 146.82 or 146.83, except a health care provider that negligently violates s. 153.50 (6) (c), may be discharged or suspended without pay.

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) (gp) to~~ hospitals, as defined in s. 50.33 (2), a total of $1,500,000, in proportion to each hospital's respective gross private–pay patient revenues during the hospital's most recently concluded entire fiscal year. Each hospital shall pay its assessment on or before December 1 for the fiscal year. All payments of assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (gp).

SECTION 2255m. 149.10 (3e) of the statutes is created to read:

149.10 **(3e)** "Fund" means the health insurance risk–sharing plan fund.

SECTION 2256. 149.12 (2) (d) of the statutes is renumbered 149.12 (2) (d) 1. and amended to read:

149.12 **(2)** (d) 1. Except ~~for a person who is an eligible individual~~ as provided in subd. 2., no person who is

65 years of age or older is eligible for coverage under the plan.

SECTION 2257. 149.12 (2) (d) 2. of the statutes is created to read:

149.12 **(2)** (d) 2. Subdivision 1. does not apply to any of the following:

a. A person who is an eligible individual.

b. A person who has coverage under the plan on the date on which he or she attains the age of 65 years.

SECTION 2258. 149.12 (3) (b) of the statutes is amended to read:

149.12 **(3)** (b) Persons for whom deductible or coinsurance amounts are paid or reimbursed under ch. 47 for vocational rehabilitation, under s. 49.68 for renal disease, under s. 49.685 (8) for hemophilia, under s. 49.683 for cystic fibrosis ~~or~~, under s. 253.05 for maternal and child health services or under s. 49.686 for the cost of drugs for the treatment of HIV infection or AIDS are not ineligible for coverage under the plan by reason of such payments or reimbursements.

SECTION 2258d. 149.125 of the statutes is repealed.

SECTION 2258f. 149.14 (2) (a) of the statutes is amended to read:

149.14 **(2)** (a) The plan shall provide every eligible person who is not eligible for medicare with major medical expense coverage. Major medical expense coverage offered under the plan under this section shall pay an eligible person's covered expenses, subject to sub. (3) and deductible, copayment and coinsurance payments authorized under sub. (5), up to a lifetime limit of $1,000,000 per covered individual. The maximum limit under this paragraph shall not be altered by the board, and no actuarially equivalent benefit may be substituted by the board.

SECTION 2259. 149.14 (3) (intro.) of the statutes is amended to read:

149.14 **(3)** COVERED EXPENSES. (intro.) Except as provided in sub. (4), except as restricted by cost containment provisions under s. 149.17 (4) and except as reduced by the ~~board under s. 149.15 (3) (e) or by the~~ department under ~~s.~~ ss. 149.143 ~~or~~ and 149.144, covered expenses for the coverage under this section shall be the ~~usual and customary charges~~ payment rates established by the department under s. 149.142 for the services provided by persons licensed under ch. 446 and certified under s. 49.45 (2) (a) 11. Except as provided in sub. (4), except as restricted by cost containment provisions under s. 149.17 (4) and except as reduced by the ~~board under s. 149.15 (3) (e) or by the~~ department under ~~s.~~ ss. 149.143 ~~or~~ and 149.144, covered expenses for the coverage under this section shall also be the ~~usual and customary charges~~ payment rates established by the department under s. 149.142 for the following services and articles if the service or article is prescribed by a physician who is licensed under ch. 448 or in another state and who is certified under s. 49.45 (2) (a) 11. and if the service or article is provided by a provider certified under s. 49.45 (2) (a) 11.:

SECTION 2259f. 149.14 (3) (d) of the statutes is amended to read:

149.14 **(3)** (d) Drugs requiring a physician's prescription, subject to sub. (4c).

SECTION 2259r. 149.14 (4) (d) of the statutes is amended to read:

149.14 **(4)** (d) That part of any charge for services or articles rendered or prescribed by a physician, dentist or other health care personnel ~~which~~ that exceeds the ~~prevailing charge in the locality where the service is provided~~ payment rate established by the department under s. 149.142 and reduced under ss. 149.143 and 149.144 or any charge not medically necessary.

SECTION 2260. 149.14 (4) (g) of the statutes is amended to read:

149.14 **(4)** (g) Dental care except as provided in sub. (3) (m) and (q).

SECTION 2260c. 149.14 (4) (n) of the statutes is created to read:

149.14 **(4)** (n) Services or drugs for the treatment of infertility, impotence or sterility.

SECTION 2260d. 149.14 (4c) of the statutes is created to read:

149.14 **(4c)** COVERAGE OF PRESCRIPTION DRUGS. (a) The department may require a pharmacist or pharmacy that provides a prescription drug to an eligible person to submit a payment claim directly to the plan administrator.

(b) The department may limit coverage of prescription drugs under sub. (3) (d) to those prescription drugs for which payment claims are submitted by pharmacists or pharmacies directly to the plan administrator.

SECTION 2260h. 149.14 (4m) of the statutes is amended to read:

149.14 **(4m)** PAYMENT IS PAYMENT IN FULL. Except for copayments, coinsurance or deductibles required or authorized under the plan, a provider of a covered service or article shall accept as payment in full for the covered service or article the payment rate determined under ss. 149.142, 149.143~~,~~ and 149.144 ~~and 149.15 (3) (e)~~ and may not bill an eligible person who receives the service or article for any amount by which the charge for the service or article is reduced under s. 149.142, 149.143~~,~~ or 149.144 ~~or 149.15 (3) (e)~~.

SECTION 2260m. 149.14 (5) (title) of the statutes is amended to read:

149.14 **(5)** (title) DEDUCTIBLES, COPAYMENTS AND COINSURANCE.

SECTION 2260p. 149.14 (5) (e) of the statutes is created to read:

149.14 **(5)** (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17 (4), establish copayments for prescription drug coverage under sub. (3) (d). Any copayment amounts or rates established are subject to the approval of the board. Copayments paid by an eligible person under this paragraph shall count toward the

deductible and covered costs not paid by the plan under pars. (a) to (c).

SECTION 2261. 149.14 (6) (title) of the statutes is created to read:

149.14 **(6)** (title) PREEXISTING CONDITIONS.

SECTION 2261f. 149.14 (8) of the statutes is created to read:

149.14 **(8)** APPLICABILITY OF MEDICAL ASSISTANCE PROVISIONS. (a) Except as provided in par. (b), the department may, by rule under s. 149.17 (4), apply to the plan the same utilization and cost control procedures that apply under rules promulgated by the department to medical assistance under subch. IV of ch. 49.

(b) The department may not apply to eligible persons for covered services or articles the same copayments that apply to recipients of medical assistance under subch. IV of ch. 49 for services or articles covered under that program.

SECTION 2261j. 149.142 of the statutes is created to read:

149.142 Provider payment rates. (1) (a) Except as provided in par. (b), the department shall establish payment rates for covered expenses that consist of the allowable charges paid under s. 49.46 (2) for the services and articles provided plus an enhancement determined by the department. The rates shall be based on the allowable charges paid under s. 49.46 (2), projected plan costs and trend factors. Using the same methodology that applies to medical assistance under subch. IV of ch. 49, the department shall establish hospital outpatient per visit reimbursement rates and hospital inpatient reimbursement rates that are specific to diagnostically related groups of eligible persons.

(b) The payment rate for a prescription drug shall be the allowable charge paid under s. 49.46 (2) (b) 6. h. for the prescription drug.

(2) The rates established under this section are subject to adjustment under ss. 149.143 and 149.144.

SECTION 2261m. 149.143 (1) (intro.) of the statutes is amended to read:

149.143 **(1)** (intro.) The department shall pay or recover the operating costs of the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining premiums, insurer assessments and provider payment rate adjustments, the department shall apportion and prioritize responsibility for payment or recovery of plan costs from among the moneys constituting the fund as follows:

SECTION 2262b. 149.143 (1) (a) of the statutes is amended to read:

149.143 **(1)** (a) First from the moneys transferred to the fund from the appropriation account under s. 20.435 ~~(5)~~ (4) (af).

SECTION 2263b. 149.143 (1) (b) 1. a. of the statutes is amended to read:

149.143 **(1)** (b) 1. a. First, from premiums from eligible persons with coverage under s. 149.14 set at 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan, including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under ~~ss.~~ s. 20.435 ~~(5)~~ (4) (ah) ~~and 149.144~~, and from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b).

SECTION 2263bm. 149.143 (1) (b) 1. b. of the statutes is amended to read:

149.143 **(1)** (b) 1. b. Second, from ~~the appropriation under s. 20.435 (5) (gh)~~ moneys specified under sub. (2m), to the extent that the amounts under subd. 1. a. are insufficient to pay 60% of plan costs.

SECTION 2263bn. 149.143 (1) (b) 1. c. of the statutes is amended to read:

149.143 **(1)** (b) 1. c. Third, by increasing premiums from eligible persons with coverage under s. 149.14 to more than 150% but not more than 200% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan, including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under ~~ss.~~ s. 20.435 ~~(5)~~ (4) (ah) ~~and 149.144~~, and by increasing premiums from eligible persons with coverage under s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under subd. 1. a. and b. are insufficient to pay 60% of plan costs.

SECTION 2263bp. 149.143 (1) (b) 1. d. of the statutes is amended to read:

149.143 **(1)** (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer assessments, excluding assessments under s. 149.144, and adjusting provider payment rates, excluding adjustments to those rates under ~~ss.~~ s. 149.144 ~~and 149.15 (3) (e)~~, in equal proportions and to the extent that the amounts under subd. 1. a. to c. are insufficient to pay 60% of plan costs.

SECTION 2264e. 149.143 (1) (b) 2. b. of the statutes is amended to read:

149.143 **(1)** (b) 2. b. Fifty percent from adjustments to provider payment rates, excluding adjustments to those rates under ~~ss.~~ s. 149.144 ~~and 149.15 (3) (e)~~.

SECTION 2265b. 149.143 (2) (a) 1. a. of the statutes is amended to read:

149.143 **(2)** (a) 1. a. Estimate the amount of enrollee premiums that would be received in the new plan year if the enrollee premiums were set at a level sufficient, when including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under ~~ss.~~ s. 20.435 ~~(5)~~ (4) (ah) ~~and 149.144~~ and from premiums collected

from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60% of the estimated plan costs for the new plan year, after deducting from the estimated plan costs the amount available ~~in~~ for transfer to the fund from the appropriation account under s. 20.435 ~~(5)~~ (4) (af) for that plan year.

SECTION 2265bm. 149.143 (2) (a) 1. c. of the statutes is repealed.

SECTION 2266g. 149.143 (2m) of the statutes is created to read:

149.143 **(2m)** (a) The department shall keep a separate accounting of the difference between the following:

1. The amount of premiums received in a plan year from all eligible persons, including amounts received for premium and deductible subsidies.

2. The amount of premiums, including amounts received for premium and deductible subsidies, necessary to cover 60% of the plan costs for the plan year, after deducting the amount transferred to the fund from the appropriation account under s. 20.435 (4) (af).

(b) Any amount by which the amount under par. (a) 1. exceeds the amount under par. (a) 2. may be used only as follows:

1. To reduce premiums in succeeding plan years as provided in sub. (1) (b) 1. b. For eligible persons with coverage under s. 149.14, premiums may not be reduced below 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan.

2. For other needs of eligible persons, with the approval of the board.

SECTION 2267j. 149.143 (3) (b) of the statutes is amended to read:

149.143 **(3)** (b) If~~, after increasing~~ the department increases premium rates and insurer assessments and ~~adjusting~~ adjusts the provider payment rate under par. (a)~~, the department~~ and determines that there will still be a deficit and that premium rates have been increased to the maximum extent allowable under par. (a), the department ~~shall~~ may further adjust, in equal proportions, assessments set under sub. (2) (a) 3. and the provider payment rate set under sub. (2) (a) 4., without regard to sub. (1) (b) 2.

SECTION 2267m. 149.143 (5) of the statutes is created to read:

149.143 **(5)** (a) Annually, no later than April 30, the department shall perform a reconciliation with respect to plan costs, premiums, insurer assessments and provider payment rate adjustments based on data from the previous calendar year. On the basis of the reconciliation, the department shall make any necessary adjustments in premiums, insurer assessments or provider payment rates for the fiscal year beginning on the first July 1 after the reconciliation, as provided in sub. (2) (b).

(b) Except as provided in sub. (3) and s. 149.144, the department shall adjust the provider payment rates to meet the providers' specified portion of the plan costs no more than once annually. The department may not determine the adjustment on an individual provider basis or on the basis of provider type, but shall determine the adjustment for all providers in the aggregate.

SECTION 2267r. 149.144 of the statutes is amended to read:

149.144 Adjustments to insurer assessments and provider payment rates for premium and deductible reductions. If the moneys transferred to the fund under the appropriation under s. 20.435 ~~(5)~~ (4) (ah) are insufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a), or the department determines that the moneys transferred or to be transferred to the fund under the appropriation under s. 20.435 ~~(5)~~ (4) (ah) will be insufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a), the department ~~shall~~ may, by rule, adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to s. 149.143 (1) (b) 1., sufficient to reimburse the plan for premium reductions under s. 149.165 and deductible reductions under s. 149.14 (5) (a). ~~The~~ If the department makes the adjustment under this section, the department shall notify the commissioner so that the commissioner may levy any increase in insurer assessments.

SECTION 2268m. 149.145 of the statutes is amended to read:

149.145 Program budget. The department, in consultation with the board, shall establish a program budget for each plan year. The program budget shall be based on the provider payment rates specified in s. ~~149.15 (3) (e)~~ 149.142 and in the most recent provider contracts that are in effect and on the funding sources specified in s. 149.143 (1), including the methodologies specified in ss. 149.143, 149.144 and 149.146 for determining premium rates, insurer assessments and provider payment rates. Except as otherwise provided in s. 149.143 (3) (a) and (b), from the program budget the department shall derive the actual provider payment rate for a plan year that reflects the providers' proportional share of the plan costs, consistent with ss. 149.143 and 149.144. The department may not implement a program budget established under this section unless it is approved by the board.

SECTION 2269. 149.146 (1) (a) of the statutes is amended to read:

149.146 **(1)** (a) Beginning on January 1, 1998, in addition to the coverage required under s. 149.14, the plan shall offer to all eligible persons who are not eligible for medicare a choice of coverage, as described in section

2744 (a) (1) (C), P.L. 104–191. Any such choice of coverage shall be major medical expense coverage.

SECTION 2270. 149.146 (1) (b) 2. of the statutes is amended to read:

149.146 **(1)** (b) 2. An eligible person under par. (a) may elect once each year, at the time and according to procedures established by the department, among the coverages offered under this section and s. 149.14. If an eligible person elects new coverage, any preexisting condition exclusion imposed under the new coverage is met to the extent that the eligible person has been previously and continuously covered under this chapter. No preexisting condition exclusion may be imposed on an eligible person who elects new coverage if the person was an eligible individual when first covered under this chapter and the person remained continuously covered under this chapter up to the time of electing the new coverage.

SECTION 2271. 149.146 (2) (am) of the statutes is created to read:

149.146 **(2)** (am) 1. For all eligible persons with coverage under this section, the deductible shall be $2,500. Expenses used to satisfy the deductible during the last 90 days of a calendar year shall also be applied to satisfy the deductible for the following calendar year.

2. Except as provided in subd. 3., if the covered costs incurred by the eligible person exceed the deductible for major medical expense coverage in a calendar year, the plan shall pay at least 80% of any additional covered costs incurred by the person during the calendar year.

3. If the aggregate of the covered costs not paid by the plan under subd. 2. and the deductible exceeds $3,500 for any eligible person during a calendar year or $7,000 for all eligible persons in a family, the plan shall pay 100% of all covered costs incurred by the eligible person during the calendar year after the payment ceilings under this subdivision are exceeded.

4. Notwithstanding subds. 1. to 3., the department may establish different deductible amounts, a different coinsurance percentage and different covered costs and deductible aggregate amounts from those specified in subds. 1. to 3. in accordance with cost containment provisions established by the department under s. 149.17 (4).

SECTION 2276m. 149.15 (3) (e) of the statutes is repealed.

SECTION 2277c. 149.15 (3) (g) of the statutes is created to read:

149.15 **(3)** (g) Establish oversight committees to address various administrative issues, such as financial management of the plan and plan administrator performance standards. A representative of the department may not be the chairperson of any committee established under this paragraph.

SECTION 2277d. 149.16 (4) of the statutes is created to read:

149.16 **(4)** The plan administrator shall account for costs related to the plan separately from costs related to medical assistance under subch. IV of ch. 49.

SECTION 2277f. 149.16 (5) of the statutes is created to read:

149.16 **(5)** The department shall obtain the approval of the board before implementing any contract with the plan administrator.

SECTION 2277m. 149.165 (2) (intro.) of the statutes is amended to read:

149.165 **(2)** (intro.) ~~If~~ Subject to sub. (3m), if the household income, as defined in s. 71.52 (5) and as determined under sub. (3), of an eligible person is equal to or greater than the first amount and less than the 2nd amount listed in any of the following, the department shall reduce the premium for the eligible person to the rate shown after the amounts:

SECTION 2277p. 149.165 (2) (e) of the statutes is created to read:

149.165 **(2)** (e) If equal to or greater than $20,000 and less than $25,000, to 130% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

SECTION 2277t. 149.165 (3m) of the statutes is created to read:

149.165 **(3m)** Upon request of the board, the joint committee on finance may approve or disapprove adjustment, by the board or the department, of the household income dollar amounts listed in sub. (2) (a) to (e), except for the first dollar amount listed in sub. (2) (a), to reflect changes in the consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor. With any request for approval of adjustment under this subsection, the board shall submit to the joint committee on finance the proposed adjusted amounts. **Vetoed In Part** **Vetoed In Part** **Vetoed In Part**

SECTION 2278b. 149.165 (4) of the statutes is amended to read:

149.165 **(4)** The department shall reimburse the plan for premium reductions under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys transferred to the fund from the appropriation account under s. 20.435 ~~(5)~~ (4) (ah).

SECTION 2278c. 149.17 (2) of the statutes is amended to read:

149.17 **(2)** A schedule of premiums, deductibles, copayments and coinsurance payments ~~which~~ that complies with all requirements of this chapter.

SECTION 2278g. 149.17 (4) of the statutes is amended to read: **Vetoed In Part**

149.17 **(4)** Cost containment provisions established by the department by rule, including managed care requirements. The department shall obtain the approval

Vetoed In Part

of the board before promulgating a rule that establishes a cost containment provision that would have an effect on an eligible person's access to health care services, such as the creation of new prior authorization requirements.

SECTION 2278r. 150.46 (3) of the statutes is created to read:

150.46 **(3)** This subchapter does not apply to the nursing care facility operated by the department of veterans affairs under s. 45.385.

SECTION 2278rm. 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 2280b. 153.45 (1) (b) of the statutes is renumbered 153.45 (1) (b) 1. and amended to read:

153.45 **(1)** (b) 1. ~~Public~~ For information that is submitted by hospitals or ambulatory surgery centers, public use data files ~~which~~ that do not permit the identification of specific patients, employers or health care providers, as defined by rules promulgated by the department. The identification of ~~these groups~~ patients, employers or health care providers shall be protected by all necessary means, including the deletion of patient identifiers and the use of calculated variables and aggregated variables.

SECTION 2280c. 153.45 (1) (b) 2. of the statutes is created to read:

153.45 **(1)** (b) 2. For information that is submitted by health care providers other than hospitals or ambulatory surgery centers, public use data files that do not permit the identification of specific patients, employers or health care providers, as defined by rules promulgated by the department. The identification of patients, employers or health care providers shall be protected by all necessary means, including the deletion of patient identifiers; the use of calculated variables and aggregated variables; the specification of counties as to residence, rather than zip codes; the use of 5–year categories for age, rather than exact age; not releasing information concerning a patient's race or ethnicity or dates of admission, discharge, procedures or visits; and masking sensitive diagnoses and procedures by use of larger diagnostic and procedure categories. Public use data files under this subdivision may include only the following:

a. The patient's county of residence.

b. The payment source, by type.

c. The patient's age category, by 5–year intervals up to age 80 and a category of 80 years or older. Vetoed In Part

d. The patient's procedure code.

e. The patient's diagnosis code.

f. Charges assessed with respect to the procedure code.

g. The name and address of the facility in which the patient's services were rendered.

h. The patient's sex.

i. Information that contains the name of a health care provider that is not a hospital or ambulatory surgery center, if the independent review board first reviews and approves the release or if the department promulgates rules that specify circumstances under which the independent review board need not review and approve the release.

j. Calendar quarters of service, except if the department specifies by rule that the number of data elements included in the public use data file is too small to enable protection of patient confidentiality.

k. Information other than patient–identifiable data, as defined in s. 153.50 (1) (b), as approved by the independent review board.

SECTION 2280e. 153.45 (1) (c) of the statutes is renumbered 153.45 (1) (c) (intro.) and amended to read:

153.45 **(1)** (c) (intro.) Custom–designed reports containing portions of the data under par. (b). Of information submitted by health care providers that are not hospitals or ambulatory surgery centers, requests under this paragraph for data elements other than those available for public use data files under par. (b) 2., including the patient's month and year of birth, require review and approval by the independent review board before the data elements may be released. Information that contains the name of a health care provider that is not a hospital or ambulatory surgery center may be released only if the independent review board first reviews and approves the release or if the department promulgates rules that specify circumstances under which the independent review board need not review and approve the release. Reports under this paragraph may include the patient's zip code only if at least one of the following applies:

SECTION 2280f. 153.45 (1) (c) 1. to 4. of the statutes are created to read:

153.45 **(1)** (c) 1. Other potentially identifying data elements are not released.

2. Population density is sufficient to mask patient identity.

3. Other potentially identifying data elements are grouped to provide population density sufficient to protect identity.

4. Multiple years of data elements are added to protect identity.

SECTION 2280g. 153.45 (6) of the statutes is created to read:

153.45 **(6)** The department may not sell or distribute data bases of information, from health care providers who are not hospitals or ambulatory surgery centers, that are able to be linked with public use data files, unless first approved by the independent review board.

SECTION 2280ge. 153.50 (1) (a) of the statutes is renumbered 153.01 (2m).

SECTION 2280gg. 153.50 (1) (b) of the statutes is renumbered 153.50 (1) (b) 1., and 153.50 (1) (b) 1. (intro.), as renumbered, is amended to read:

153.50 **(1)** (b) 1. (intro.) "Patient–identifiable data"**.** for information submitted by hospitals and ambulatory surgery centers, means all of the following data elements:

SECTION 2280gm. 153.50 (1) (b) 2. of the statutes is created to read:

153.50 **(1)** (b) 2. "Patient–identifiable data", for information submitted by health care providers who are not hospitals or ambulatory surgery centers, means all of the following data elements:

a. Data elements specified in subd. 1. a. to g., L. and m.

b. Whether the patient's condition is related to employment, and occurrence and place of an auto accident or other accident.

c. Date of first symptom of current illness, of current injury or of current pregnancy.

d. First date of patient's same or similar illness, if any.

e. Dates that the patient has been unable to work in his or her current occupation.

f. Dates of receipt by patient of medical service.

g. The patient's city, town or village.

SECTION 2280h. 153.50 (2) of the statutes is repealed.

SECTION 2280i. 153.50 (3) (b) 7. of the statutes is created to read:

153.50 **(3)** (b) 7. The patient's account number, after use only as verification of data by the department.

SECTION 2280j. 153.50 (3) (c) of the statutes is created to read:

153.50 **(3)** (c) Develop, for use by purchasers of data under this chapter, a data use agreement that specifies data use restrictions, appropriate uses of data and penalties for misuse of data, and notify prospective and current purchasers of data of the appropriate uses.

SECTION 2280k. 153.50 (3) (d) of the statutes is created to read:

153.50 **(3)** (d) Require that a purchaser of data under this chapter sign and have notarized the data use agreement of the department specified in par. (c).

SECTION 2280km. 153.50 (3m) of the statutes is created to read:

153.50 **(3m)** HEALTH CARE PROVIDER MEASURES TO ENSURE PATIENT IDENTITY PROTECTION. A health care provider that is not a hospital or ambulatory surgery center shall, before submitting information required by the department under this chapter, convert to a payer category code as specified by the department any names of an insured's payer or other insured's payer.

SECTION 2280kp. 153.50 (4) (intro.) of the statutes is renumbered 153.50 (4) (a) (intro.) and amended to read:

153.50 **(4)** (a) (intro.) ~~Under~~ Except as specified in par. (b), under the procedures specified in sub. (5), release of patient–identifiable data may be made only to any of the following:

SECTION 2280kq. 153.50 (4) (a) of the statutes is repealed.

SECTION 2280kr. 153.50 (4) (b) to (e) of the statutes are renumbered 153.50 (4) (a) 1. to 4.

SECTION 2280ks. 153.50 (4) (b) of the statutes is created to read:

153.50 **(4)** (b) Of information submitted by health care providers that are not hospitals or ambulatory surgery centers, patient–identifiable data that contain a patient's date of birth may be released under par. (a) only under circumstances as specified by rule by the department.

SECTION 2280ku. 153.50 (5) (a) (intro.) of the statutes is amended to read:

153.50 **(5)** (a) (intro.) The department may not release or provide access to patient–identifiable data to a person authorized under sub. (4) (a)~~, (c), (d) or (e)~~ unless the authorized person requests the department, in writing, to release the patient–identifiable data. The request shall include all of the following:

SECTION 2280kv. 153.50 (5) (a) 3. of the statutes is amended to read:

153.50 **(5)** (a) 3. For a person who is authorized under sub. (4) (a)~~, (c) or (d)~~ to receive or have access to patient–identifiable data, evidence, in writing, that indicates that authorization.

SECTION 2280kw. 153.50 (5) (a) 4. (intro.) of the statutes is amended to read:

153.50 **(5)** (a) 4. (intro.) For an entity that is authorized under sub. (4) ~~(e)~~ (a) 4. to receive or have access to patient–identifiable data, evidence, in writing, of all of the following:

SECTION 2280kx. 153.50 (5) (b) 3. of the statutes is amended to read:

153.50 **(5)** (b) 3. For a person who believes that he or she is authorized under sub. (4) (a), the action provided under s. 19.37.

SECTION 2280n. 153.50 (5m) of the statutes is created to read:

153.50 **(5m)** EMPLOYERS NOT TO REQUEST PATIENT–IDENTIFIABLE DATA. Notwithstanding subs. (4) and (5) no employer may request the release of or access to patient–identifiable data of an employe of the employer.

SECTION 2280p. 153.50 (6) of the statutes is renumbered 153.50 (6) (a).

SECTION 2280q. 153.50 (6) (b), (c), (d) and (e) of the statutes are created to read:

153.50 **(6)** (b) The department may not require under this chapter a health care provider that is not a hospital or ambulatory surgery center to submit uniform patient billing forms.

(c) A health care provider that is not a hospital or ambulatory surgery center may not submit any of the following to the department under the requirements of this chapter:

1. The data elements specified under sub. (3) (b).
2. The patient's telephone number.
3. The insured's employer's name or school name.
4. Data regarding insureds other than the patient, other than the payer category code under sub. (3m).
5. The patient's employer's name or school name.
6. The patient's relationship to the insured.
7. The insured's identification number.
8. The insured's policy or group number.
9. The insured's date of birth or sex.
10. The patient's marital, employment or student status.

(d) If a health care provider that is not a hospital or ambulatory surgery center submits a data element that is specified in par. (c) 1. to 10., the department shall immediately return this information to the health care provider or, if discovered later, shall remove and destroy the information.

(e) A health care provider may not submit information that uses any of the following as a patient account number:

1. The patient's social security number or any substantial portion of the patient's social security number.
2. A number that is related to another patient identifying number.

SECTION 2280r. 153.55 of the statutes is amended to read:

153.55 Protection of ~~health care provider~~ confidentiality. ~~Health care provider–identifiable data~~ Data obtained under this chapter is not subject to inspection, copying or receipt under s. 19.35 (1).

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 2283g. 153.67 of the statutes is created to read:

153.67 Independent review board. The independent review board shall review any request under s. 153.45 (1) (c) for data elements other than those available for public use data files under s. 153.45 (1) (b). Unless the independent review board approves such a request or unless independent review board approval is not required under rules of the department promulgated under s. 153.45 (1) (c) (intro.), the data elements requested may not be released.

SECTION 2283h. 153.76 of the statutes is created to read:

153.76 Rule–making by the independent review board. Notwithstanding s. 15.01 (1r), the independent review board may promulgate only those rules that are first reviewed and approved by the board on health care information.

SECTION 2283i. 153.85 of the statutes is amended to read:

153.85 Civil liability. ~~Any~~ Except as provided in s. 153.86, any person violating s. 153.50 or rules promulgated under s. 153.75 (1) (a) is liable to the patient for actual damages and costs, plus exemplary damages of up to $1,000 for a negligent violation and up to $5,000 for an intentional violation.

SECTION 2283j. 153.86 of the statutes is created to read:

153.86 Immunity from liability. (1) A health care provider that submits information to the department under this chapter is immune from civil liability for all of the following:

(a) Any act or omission of an employe, official or agent of the health care provider that results in the release of a prohibited data element while submitting data to the department.

(b) Any act or omission of the department that results in the release of data.

(2) The immunity provided under this section does not apply to intentional, wilful or reckless acts or omissions by health care providers.

SECTION 2283k. 153.90 (1) of the statutes is amended to read:

153.90 **(1)** Whoever intentionally violates s. 153.45 (5) or 153.50 or rules promulgated under s. 153.75 (1) (a) may be fined not more than ~~$10,000~~ $15,000 or imprisoned for not more than ~~9 months~~ one year in the county jail or both.

SECTION 2283m. 154.17 (1) of the statutes is amended to read:

154.17 **(1)** "Do–not–resuscitate bracelet" means a standardized identification bracelet ~~of uniform size, color, and design,~~ that meets the specifications established under s. 154.27 (1), or that is approved by the department under s. 154.27 (2), that bears the inscription "Do Not Resuscitate" and signifies that the wearer is a qualified patient who has obtained a do–not–resuscitate order and that the order has not been revoked.

SECTION 2283n. 154.19 (2) (b) of the statutes is renumbered 154.19 (2) (b) (intro.) and amended to read:

154.19 **(2)** (b) (intro.) After providing the information under par. (a), the attending physician, or the person directed by the attending physician, shall ~~affix~~ document in the patient's medical record the medical condition that qualifies the patient for the do–not–resuscitate order, shall make the order in writing and shall do one of the following, as requested by the qualified patient:

1. Affix to the wrist of the patient a do–not–resuscitate bracelet ~~and document in the patient's medical record the medical condition that qualifies the patient for the do–not–resuscitate order~~ that meets the specifications established under s. 154.27 (1).

SECTION 2283p. 154.19 (2) (b) 2. of the statutes is created to read:

154.19 **(2)** (b) 2. Provide an order form from a commercial vendor approved by the department under s. 154.27 (2) to permit the patient to order a do–not–resuscitate bracelet from the commercial vendor.

SECTION 2283q. 154.27 of the statutes is renumbered 154.27 (1) and amended to read:

154.27 **(1)** The department shall establish by rule a uniform standard for the size, color, and design of all do–not–resuscitate bracelets. ~~The~~ Except as provided in sub. (2), the rules shall require that the do–not–resuscitate bracelets include the inscription "Do Not Resuscitate"; the name, address, date of birth and gender of the patient; and the name, business telephone number and signature of the attending physician issuing the order.

SECTION 2283r. 154.27 (2) of the statutes is created to read:

154.27 **(2)** The department may approve a do–not–resuscitate bracelet developed and distributed by a commercial vendor if the bracelet contains an emblem that displays an internationally recognized medical symbol on the front and the words "Wisconsin Do–Not–Resuscitate–EMS" and the qualified patient's first and last name on the back. The department may not approve a do–not–resuscitate bracelet developed and distributed by a commercial vendor if the vendor does not require a doctor's order for the bracelet prior to distributing it to a patient.

SECTION 2283rm. 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 2283t. 157.065 (3) of the statutes is renumbered 157.065 (3) (a).

SECTION 2283u. 157.065 (3) (b) of the statutes is created to read:

157.065 **(3)** (b) Any private military academy that provides an educational program for grades 7 to 12 in a 4th class city may establish a private cemetery within the city on land that the military academy owns, if the common council consents. No mausoleum within a cemetery established under this paragraph may exceed 3,500 square feet in area.

SECTION 2288b. 165.755 (1) (a) of the statutes is amended to read:

165.755 **(1)** (a) Except as provided in par. (b), ~~beginning on October 14, 1997,~~ a court shall impose a crime laboratories and drug law enforcement assessment of ~~$4~~ $5 if the court imposes a sentence, places a person on probation or imposes a forfeiture for a violation of state law or for a violation of a municipal or county ordinance.

SECTION 2288f. 165.76 (1) (a) of the statutes is amended to read:

165.76 **(1)** (a) Is in ~~prison or~~ a secured correctional facility, as defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on probation, extended supervision, parole, supervision or aftercare supervision on or after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

SECTION 2288g. 165.76 (1) (a) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

165.76 **(1)** (a) 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 on probation, extended supervision, parole, supervision or aftercare supervision on or after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

SECTION 2288h. 165.76 (1) (ag) of the statutes is created to read:

165.76 **(1)** (ag) Is in prison on or after August 12, 1993, and before January 1, 2000, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

SECTION 2288i. 165.76 (1) (ar) of the statutes is created to read:

165.76 **(1)** (ar) Is in prison on or after January 1, 2000, for a felony committed in this state.

SECTION 2288L. 165.76 (1) (e) of the statutes is amended to read:

165.76 **(1)** (e) Is released on parole or extended supervision or placed on probation in another state before January 1, 2000, and is on parole, extended supervision or probation in this state from ~~another~~ the other state under s. 304.13 or 304.135 on or after July 9, 1996, for a violation of the law of ~~another~~ the other state that the department of corrections determines, under s. 304.137 (1), is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

SECTION 2288m. 165.76 (1) (f) of the statutes is created to read:

165.76 **(1)** (f) Is released on parole or extended supervision or placed on probation in another state on or after January 1, 2000, and is on parole, extended supervision or probation in this state from the other state under s. 304.13 or 304.135 for a violation of the law of the other state that the department of corrections determines, under s. 304.137 (2), would constitute a felony if committed by an adult in this state.

SECTION 2289d. 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 or a secured group home, 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 or the county department under s. 46.215, 46.22 or 46.23 operating the secured group home in which the person is placed may require the person to provide the specimen while he or she is in prison or in ~~a~~ the secured correctional facility ~~or a~~, secured child caring institution or secured group home.

SECTION 2289t. 165.842 of the statutes is created to read: **Vetoed In Part**

165.842 Motor vehicle stops; collection of information; annual report. (1) DEFINITIONS. In this section:

(a) "Department" means the department of justice.

(b) "Law enforcement agency" has the meaning given in s. 165.77 (1) (b).

(c) "Law enforcement officer" means a person who is employed by a law enforcement agency for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances the person is employed to enforce, whether that enforcement authority extends to all laws or ordinances or is limited to specific laws or ordinances.

(d) "Motor vehicle stop" means the stop of a motor vehicle that is traveling in any public or private place, or the detention of an occupied motor vehicle that is already stopped in any public or private place, for the purpose of investigating any alleged or suspected violation of a state or federal law or city, village, town or county ordinance.

(2) INFORMATION COLLECTION REQUIRED. All persons in charge of law enforcement agencies shall obtain, or cause to be obtained, all of the following information with respect to each motor vehicle stop made on or after January 1, 2001, by a law enforcement officer employed by the law enforcement agency:

Vetoed In Part

(a) The reason the law enforcement officer stopped the motor vehicle.

(b) The age, gender and race or ethnicity of the driver of the motor vehicle.

(c) The number of persons in the motor vehicle.

(d) Whether a search was conducted of the motor vehicle, the driver of the motor vehicle or any passenger in the motor vehicle, and for each search conducted all of the following information:

1. Whether the search was based on probable cause or reasonable suspicion, on the consent of the person searched or, for a motor vehicle search, on the consent of the driver or other authorized person.

2. If the search was of a passenger in the motor vehicle, the age, gender and race or ethnicity of the passenger.

3. What, if anything, was seized as a result of the search.

(e) Whether a person was asked to give consent to a search of the motor vehicle or of his or her person but refused to give consent.

(f) Whether the motor vehicle stop or a search conducted during the stop resulted in the driver or any passenger being given a written warning of or a citation for a violation of any law or ordinance and, if so, a listing of each warning or citation given and the alleged violation for which the warning or citation was given.

(g) Whether the motor vehicle stop or a search conducted during the stop resulted in the arrest of the driver or any passenger and, if so, a listing of each arrest made and the reason for the arrest.

(h) Any other information required to be collected under the rules promulgated by the department under sub. (5).

(3) SUBMISSION OF INFORMATION COLLECTED. The information obtained by a law enforcement agency under sub. (2) shall be forwarded to the department using the form prescribed by the rules promulgated under sub. (5) and in accordance with the reporting schedule established under the rules promulgated under sub. (5).

(4) ANALYSIS AND REPORT BY DEPARTMENT. (a) The department shall compile the information submitted to it by law enforcement agencies under sub. (3) and shall analyze the information, along with any other relevant information, to determine whether law enforcement officers target racial minorities when making motor vehicle stops to investigate alleged or suspected violations of federal, state or local laws or ordinances.

(b) For each calendar year, the department shall prepare an annual report that summarizes the information submitted to it by law enforcement agencies concerning motor vehicle stops made during the calendar year and that describes the methods and conclusions of its analysis of the information. On or before March 31, 2002, and on or before each March 31 thereafter, the department shall submit the annual report required under this paragraph to the legislature under s. 13.172 (2), to the governor and to the director of state courts.

Vetoed In Part

(5) RULES. (a) The department shall promulgate rules to implement the requirements of this section, including rules prescribing a form for use in obtaining information under sub. (2) and establishing a schedule for forwarding the information obtained to the department. The department shall make the form prescribed by its rules available to law enforcement agencies.

(b) The department may by rule require the collection of information in addition to that specified in sub. (2) (a) to (g) if the department determines that the information will help to determine whether law enforcement officers target racial minorities when making motor vehicle stops to investigate alleged or suspected violations of federal, state or local laws or ordinances.

SECTION 2289ud. 165.85 (3m) (b) of the statutes is renumbered 165.85 (3m) (b) 1. and amended to read:

165.85 **(3m)** (b) 1. Request that an individual provide the board with his or her social security number when he or she applies for certification or recertification under this section. ~~If~~ Except as provided in subd. 2., if an individual who is requested by the board to provide his or her social security number under this paragraph does not comply with the board's request, the board shall deny the individual's application for certification or recertification. The board may disclose a social security number provided by an individual under this paragraph only to the department of workforce development as provided in a memorandum of understanding entered into with the department of workforce development under s. 49.857.

SECTION 2289ue. 165.85 (3m) (b) 2. of the statutes is created to read:

165.85 **(3m)** (b) 2. As a condition of applying for certification or recertification, an individual who does not have a social security number shall submit a statement made or subscribed under oath or affirmation to the board that he or she does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certification or recertification issued in reliance on a false statement submitted under this subdivision is invalid.

SECTION 2290. 165.85 (5m) of the statutes is repealed.

SECTION 2290v. 165.87 (title) of the statutes is repealed.

SECTION 2291. 165.87 (1) (title) of the statutes is repealed.

SECTION 2292m. 165.87 (1) (a) of the statutes is renumbered 757.05 (2) (a) and amended to read:

757.05 **(2)** (a) *Law enforcement training fund.* Twenty–seven fifty–fifths of all moneys collected from penalty assessments under ~~this section~~ sub. (1) shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and 165.85 (5) ~~and (5m)~~. The moneys credited to the

appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb), constitute the law enforcement training fund.

SECTION 2293. 165.87 (1) (b) of the statutes is repealed.

SECTION 2294m. 165.87 (1) (bn) of the statutes is renumbered 16.964 (4) and amended to read:

16.964 **(4)** ~~Five twenty–seconds of all moneys collected from penalty assessments under this section shall be credited to the appropriation account under and utilized in accordance with s. 20.505 (6) (g), except for moneys transferred to ss. 20.410 (3) (kj) and 20.505 (6) (h).~~ In regard to any grant the office makes to any local unit of government for which the state is providing matching funds from moneys under ~~this paragraph~~ s. 20.505 (6) (kp), the local unit of government shall provide matching funds equal to at least 10%.

SECTION 2295. 165.87 (1) (bp) of the statutes is repealed.

SECTION 2296. 165.87 (1) (br) of the statutes is repealed.

SECTION 2297. 165.87 (1) (c) of the statutes is repealed.

SECTION 2298. 165.87 (2) of the statutes is renumbered 757.05 (1).

SECTION 2299. 165.90 (4) (intro.) of the statutes is amended to read:

165.90 **(4)** (intro.) If the department approves a plan, the department shall certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (kt). Prior to January 15, of the year for which funding is sought, the department shall distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ (kt) to each eligible program the amount necessary to implement the plan, subject to the following limitations:

SECTION 2300. 165.90 (4) (a) of the statutes is amended to read:

165.90 **(4)** (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~ (kt) only for law enforcement operations.

SECTION 2301. 165.90 (4) (b) of the statutes is amended to read:

165.90 **(4)** (b) A program shall, prior to the receipt of funds under s. 20.455 (2) ~~(d) or (hn)~~ (kt) for the 2nd and any subsequent year, submit a report to the department regarding the performance of law enforcement activities on the reservation in the previous fiscal year.

Vetoed In Part

SECTION 2301m. 166.03 (2) (a) 6. of the statutes is created to read:

166.03 **(2)** (a) 6. Purchase from the appropriation under s. 20.465 (3) (a), at a cost not to exceed $110,000, infrared optical equipment to be located and maintained by the Chippewa County emergency management agency and used by the civil air patrol to search for lost individuals.

SECTION 2302. 166.15 (1) (f) of the statutes is amended to read:

166.15 **(1)** (f) "Nuclear incident" means any sudden or nonsudden release of ionizing radiation, as defined under s. 254.31 (3g), from radioactive waste being stored or disposed of in a waste repository or transported. "Nuclear incident" does not include any release of radiation from radioactive waste being transported under routine operations.

SECTION 2302m. 166.20 (5) (a) 3. of the statutes is amended to read:

166.20 **(5)** (a) 3. All facilities in this state covered under 42 USC 11021 and all public agencies and private agencies in this state at which a hazardous chemical is present at or above an applicable threshold quantity shall comply with the reporting requirements under 42 USC 11021 and 11022. The division shall implement minimum threshold levels for reporting by retail gas stations that are identical to the minimum threshold levels for reporting under 42 USC 11021 and 11022.

SECTION 2303. 166.20 (7g) of the statutes is repealed.

SECTION 2303b. 166.215 (1) of the statutes is amended to read:

166.215 **(1)** ~~The~~ Beginning July 1, 2001, the division shall contract with ~~no fewer than 7 and no more than~~ 9 regional emergency response teams, ~~each of which will~~ one of which shall be located in La Crosse County. Each regional emergency response team shall assist in the emergency response to level A releases in a region of this state designated by the division. The division shall contract with at least one regional emergency response team in each area designated under s. 166.03 (2) (b) 1. The division may only contract with a local agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional emergency response team shall meet the standards for a hazardous materials specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire protection association standards NFPA 471 and 472. Payments to regional emergency response teams under this subsection shall be made from the appropriation account under s. 20.465 (3) (dd). **Vetoed In Part**

SECTION 2303d. 166.215 (5) of the statutes is amended to read:

166.215 **(5)** The division shall notify the joint committee on finance in writing, before entering into a new contractual agreement under sub. (1) or renewing or extending a contractual agreement under sub. (1), of the specific funding commitment involved in that proposed new, renewed or extended contract. The division shall include in that notification information regarding any anticipated contractual provisions that involve state fiscal commitments for each fiscal year in the proposed new, renewed or extended contract. The division may enter into a new contractual agreement or renew or extend a contractual agreement, as proposed in the notifi-

cation to the joint committee on finance, if within 14 working days after notification the committee does not schedule a meeting to review the division's proposed action. If, within 14 working days after notification to the joint committee on finance, the committee notifies the division that the committee has scheduled a meeting to review the division's proposed action, the division may enter into the proposed new contact or renew or extend the contract as proposed only if the committee approves that action. ~~Notwithstanding s. 13.10, the division may include in its notification to the joint committee on finance a request for approval of any increase in the amount of money in the appropriation account under s. 20.465 (3) (dd) necessary to provide sufficient money for the proposed new, renewed or extended contracts under sub. (1).~~

SECTION 2303r. 168.07 of the statutes is amended to read:

168.07 Inspections; requirements. (1) The inspector shall inspect each sample of petroleum product and if the inspector finds that it meets the minimum specifications prescribed by the department, the inspector shall issue an inspection certificate, except that inspections for particular grade specifications shall be at the discretion of the department. If an inspector believes that a product has been misidentified, an inspection shall be performed. If the inspector finds that the petroleum product does not meet the minimum specifications prescribed by the department, the inspector shall notify the person for whom the inspection was made. After such notice, no person may sell or use the product in this state or remove it from storage as long as it fails to meet the minimum specifications prescribed by the department or until satisfactory disposition is approved by the inspector. Any transporter, wholesaler or distributor of petroleum products who delivers or causes to be delivered a petroleum product that fails to meet the minimum specifications prescribed by the department shall, at the direction of the department, remove the petroleum product and dispose of it in a manner approved by the department. The department may contract for the performance of testing conducted under this subsection.

(2) Inspections ~~made by the inspectors~~ under sub. (1) shall be conducted, so far as applicable, in accordance with the methods outlined in the latest revision of the ASTM Book of Standards of the American Society for Testing and Materials.

SECTION 2303sp. 170.12 (3m) (a) 1. of the statutes is amended to read:

170.12 **(3m)** (a) 1. If the applicant is an individual and has a social security number, the applicant's social security number.

SECTION 2303sr. 170.12 (3m) (a) 1m. of the statutes is created to read:

170.12 **(3m)** (a) 1m. If the applicant is an individual and does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A permit issued in reliance upon a false statement submitted under this subdivision is invalid.

SECTION 2303ss. 170.12 (3m) (b) of the statutes is amended to read:

170.12 **(3m)** (b) The board may not disclose any information received under par. (a) 1. or 2. to any person except as follows:

1. The board may disclose information under par. (a) 1. or 2. to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

2. The board may disclose information under par. (a) 1. or 2. to the department of workforce development in accordance with a memorandum of understanding under s. 49.857.

SECTION 2303st. 177.01 (10) of the statutes is renumbered 177.01 (10) (a).

SECTION 2303su. 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 2304c. 180.0103 (6) of the statutes is repealed and recreated to read:

180.0103 **(6)** "Deliver" or "delivery" means any method of delivery used in conventional commercial practice, including delivery by hand, mail, commercial delivery and electronic transmission.

SECTION 2304cm. 180.0103 (7m) of the statutes is created to read:

180.0103 **(7m)** "Electronic transmission" or "electronically transmitted" means internet transmission, telephonic transmission, electronic mail transmission, transmission of a telegram, cablegram or datagram or any other form or process of communication that does not directly involve the physical transfer of paper and that is suitable for the retention, retrieval and reproduction of information by the recipient.

SECTION 2304dm. 180.0103 (16) of the statutes is amended to read:

180.0103 **(16)** "Signed" or "signature" includes any manual, facsimile, conformed or electronic signature or any symbol executed or adopted by a party with present intention to authenticate a writing or electronic transmission.

SECTION 2304ed. 180.0141 (2) (a) of the statutes is amended to read:

180.0141 **(2)** (a) A person shall give notice in writing, except as provided in par. (b). For purposes of this section, notice by electronic transmission is written notice.

SECTION 2304fb. 180.0141 (3) of the statutes is amended to read:

180.0141 **(3)** Except as provided in s. 180.0721 (4) or unless otherwise provided in the articles of incorporation or bylaws, notice may be communicated in person~~,~~ ; by ~~telephone, telegraph, teletype, facsimile or other form of wire or wireless communication, or by mail or private carrier, and, if~~ mail or other method of delivery; by telephone, including voice mail, answering machine or answering service; or by any other electronic means. If these forms of personal notice are impracticable, notice may be communicated by a newspaper of general circulation in the area where published, or by radio, television or other form of public broadcast communication.

SECTION 2304fh. 180.0141 (5) (b) of the statutes is renumbered 180.0141 (5) (b) (intro.) and amended to read:

180.0141 **(5)** (b) (intro.) Written notice by a domestic corporation or foreign corporation to its shareholder is effective ~~when~~ under any of the following conditions:

1. When mailed ~~and may be~~, but only if mailed postpaid and addressed to the shareholder's address shown in the domestic corporation's or foreign corporation's current record of shareholders.

SECTION 2304gb. 180.0141 (5) (b) 2. of the statutes is created to read:

180.0141 **(5)** (b) 2. When electronically transmitted to the shareholder in a manner authorized by the shareholder.

SECTION 2304gm. 180.0722 (2) of the statutes is repealed and recreated to read:

180.0722 **(2)** (a) A shareholder entitled to vote at a meeting of shareholders, or to express consent or dissent in writing to any corporate action without a meeting of shareholders, may authorize another person to act for the shareholder by appointing the person as proxy. An appointment of a proxy may be in durable form as provided in s. 243.07.

(b) Without limiting the manner in which a shareholder may appoint a proxy under par. (a), a shareholder or the shareholder's authorized officer, director, employe, agent or attorney–in–fact may use any of the following as a valid means to make such an appointment:

1. Appointment of a proxy in writing by signing or causing the shareholder's signature to be affixed to an appointment form by any reasonable means, including, but not limited to, by facsimile signature.

2. Appointment of a proxy by transmitting or authorizing the transmission of an electronic transmission of the appointment to the person who will be appointed as proxy or to a proxy solicitation firm, proxy support service organization or like agent authorized to receive the transmission by the person who will be appointed as proxy. Every electronic transmission shall contain, or be accompanied by, information that can be used to reasonably determine that the shareholder transmitted or authorized the transmission of the electronic transmission. Any person charged with determining whether a shareholder transmitted or authorized the transmission of the electronic transmission shall specify the information upon which the determination is made.

(c) Any copy, facsimile telecommunication or other reliable reproduction of the information in the appointment form under par. (b) 1. or the electronic transmission under par. (b) 2. may be substituted or used in lieu of the original appointment form or electronic transmission for any purpose for which the original appointment form or electronic transmission could be used, but only if the copy, facsimile telecommunication or other reliable reproduction is a complete reproduction of the information in the original appointment form or electronic transmission.

SECTION 2304gz. 180.0722 (3) of the statutes is amended to read:

180.0722 **(3)** An appointment of a proxy is effective when a signed appointment form or an electronic transmission of the appointment is received by the ~~secretary or other~~ inspector of election or the officer or agent of the corporation authorized to tabulate votes. An appointment is valid for 11 months ~~from the date of its signing~~ unless a different period is expressly provided in the appointment ~~form~~.

SECTION 2304hd. 180.0722 (4) (a) (intro.) of the statutes is amended to read:

180.0722 **(4)** (a) (intro.) An appointment of a proxy is revocable ~~by the shareholder~~ unless the appointment form ~~conspicuously~~ or electronic transmission states that it is irrevocable and the appointment is coupled with an interest. Appointments coupled with an interest include, but are not limited to, the appointment of any of the following:

SECTION 2304hL. 180.0722 (7) of the statutes is amended to read:

180.0722 **(7)** Subject to s. 180.0724 and to any express limitation on the proxy's authority ~~appearing on the face of~~ stated in the appointment form or electronic transmission, a corporation may accept the proxy's vote or other action as that of the shareholder making the appointment.

SECTION 2304ho. 180.0722 (8) (a) of the statutes is amended to read:

180.0722 **(8)** (a) Notwithstanding sub. (4), may be revoked at any time by openly stating the revocation at a shareholder meeting or appointing a new proxy in ~~writing~~ the manner provided under sub. (2) (b).

SECTION 2304jb. 180.0724 (4) of the statutes is amended to read:

180.0724 **(4)** The corporation and its officer or agent who accepts or rejects a vote, consent, waiver or proxy appointment in good faith and in accordance with this section or s. 180.0722 (2) are not liable in damages to the

shareholder for the consequences of the acceptance or rejection.

SECTION 2304jm. 180.0724 (5) of the statutes is amended to read:

180.0724 **(5)** Corporate action based on the acceptance or rejection of a vote, consent, waiver or proxy appointment under this section or s. 180.0722 (2) is valid unless a court of competent jurisdiction determines otherwise.

SECTION 2305m. 180.1901 (1m) (bs) of the statutes is created to read:

180.1901 **(1m)** (bs) Athletic trainers affiliated credentialing board under subch. VI of ch. 448.

SECTION 2308d. 182.028 of the statutes is amended to read:

182.028 School corporations. Any corporation formed for the establishment and maintenance of schools, academies, seminaries, colleges or universities or for the cultivation and practice of music shall have power to enact bylaws for the protection of its property, and provide fines as liquidated damages upon its members and patrons for violating the bylaws, and may collect the same in tort actions, and to prescribe and regulate the courses of instruction therein, and to confer such degrees and grant such diplomas as are usually conferred by similar institutions or as shall be appropriate to the courses of instruction prescribed, except that no corporation shall operate or advertise a school that is subject to s. ~~39.51~~ 45.54 (10) without complying with the requirements of s. ~~39.51~~ 45.54. Any stockholder may transfer his or her stock to the corporation for its use; and if the written transfer so provides the stock shall be perpetually held by the board of directors with all the rights of a stockholder, including the right to vote.

SECTION 2308r. 186.098 (12) of the statutes is amended to read:

186.098 **(12)** LOANS TO MEMBERS. A credit union may make loans to members 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 office of credit unions shall promulgate joint rules with the ~~divisions of savings and loan~~ division of savings institutions and the division of banking that establish procedures for enforcing a lender's rights in security given for a loan under this subsection.

SECTION 2308rm. 189.02 (7) of the statutes is created to read:

189.02 **(7)** At least 14 days before submitting to the public service commission any personnel or budget request that affects any appropriation to the department of transportation, the office shall notify the secretary of the request.

SECTION 2309m. 196.01 (3n) of the statutes is amended to read:

196.01 **(3n)** "Mobile home" has the meaning given in s. 101.91 ~~(1)~~ (2e).

SECTION 2310c. 196.025 of the statutes is renumbered 196.025 (1).

SECTION 2310g. 196.025 (2) of the statutes is created to read:

196.025 **(2)** The commission shall promulgate rules establishing requirements and procedures for the commission to carry out the duties under s. 1.11. Rules promulgated under this subsection shall include requirements and procedures for each of the following:

(a) Standards for determining the necessity of preparing an environmental impact statement.

(b) Adequate opportunities for interested persons to be heard on environmental impact statements, including adequate time for the preparation and submission of comments.

(c) Deadlines that allow thorough review of environmental issues without imposing unnecessary delays in addressing the need for additional electric transmission capacity in this state.

SECTION 2310L. 196.025 (3) of the statutes is created to read:

196.025 **(3)** The commission shall promulgate rules establishing requirements and procedures for electric utilities, as defined under s. 196.491 (1) (d), to file reports with the commission, on a frequency that the commission determines is reasonably necessary, on their current reliability status, including the status of operating and planning reserves, available transmission capacity and outages of major operational units and transmission lines. A report filed under the rules promulgated under this subsection is subject to inspection and copying under s. 19.35 (1), except that the commission may withhold the report from inspection and copying for a period of time that the commission determines is reasonably necessary to prevent an adverse impact on the supply or price of energy in this state.

SECTION 2310p. 196.025 (4) of the statutes is created to read:

196.025 **(4)** (a) In consultation with the department of administration and the department of revenue, the commission shall study the establishment of a program for providing incentives for the development of high–efficiency, small–scale electric generating facilities in this state that do either of the following:

1. Provide benefits in the form of support for electric distribution or transmission systems, power quality or environmental performance.

2. Employ technologies such as combined heat and power systems, fuel cells, mircroturbines or photovoltaic systems that may be situated in, on or next to buildings or other electric load centers.

(b) No later than January 1, 2001, the commission shall submit a report of its findings and recommendations under par. (a) to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 2310t. 196.025 (5) of the statutes is created to read:

196.025 **(5)** (ag) In this subsection, "electric cooperative" means a cooperative association organized under ch. 185 for the purpose of generating, distributing or furnishing electric energy at retail or wholesale to its members only.

(ar) The commission shall contract with an expert consultant in economics to conduct a study on the potential for horizontal market power, including the horizontal market power of electric generators, to frustrate the creation of an effectively competitive retail electricity market in this state and to make recommendations on measures to eliminate such market power on a sustainable basis. The study shall include each of the following:

1. An assessment of the effect of each recommendation on public utility workers and shareholders and electric cooperative workers and members.

1m. An assessment of the effect of each recommendation on rates for each class of public utility customers and electric cooperative members.

2. An evaluation of the impact of transmission constraints on the market power of electric generators in local areas.

(b) No later than January 1, 2001, the commission shall submit a report of the results of the study under par. (ar) to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 2311q. 196.04 (4) of the statutes is renumbered 196.04 (4) (b) and amended to read:

196.04 **(4)** (b) If the parties cannot agree and the commission finds that public convenience and necessity or the rendition of reasonably adequate service to the public requires that a public utility, telecommunications provider, sewerage system operator or cable operator~~, as defined in s. 66.082 (2) (b),~~ be permitted to extend its lines on, over or under the right–of–way of any railroad, or requires that the tracks of any railroad be extended on, over or under the right–of–way of any public utility, telecommunications provider, sewerage system operator or cable operator, the commission may order the extension by the public utility, telecommunications provider, sewerage system operator, cable operator or railroad on, over or under the right–of–way of the other if it will not materially impair the ability of the railroad, telecommunications provider, sewerage system operator, cable operator or public utility, on, over or under whose right–of–way the extension would be made, to serve the public. The commission shall prescribe lawful conditions and compensation which the commission deems equitable and reasonable in light of all the circumstances.

SECTION 2311s. 196.04 (4) (a) of the statutes is created to read:

196.04 **(4)** (a) In this subsection:

1. "Cable operator" has the meaning given in s. 66.082 (2) (b).

2. "Sewerage system operator" means any of the following:

a. A municipality that operates a sewerage system under s. 66.076.

b. A town sanitary district commission that operates a sewerage system under 60.77 (4).

c. A city or village that obtains a sewerage system under s. 60.79.

d. A metropolitan sewerage district commission that operates a sewerage system under s. 66.24 (2) or 66.89 (1).

e. A public inland lake protection and rehabilitation district that exercises the powers of a town sanitary district under s. 33.22 (3) and that operates a sewerage system under s. 60.77 (4).

SECTION 2311t. 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 2311u. 196.19 (1m) (e) of the statutes is repealed.

SECTION 2312x. 196.192 of the statutes is created to read:

196.192 Market–based compensation, rates and contracts. (1) In this section, "electric public utility" means a public utility whose purpose is the generation, distribution and sale of electric energy.

(2) No later than March 1, 2000, each investor–owned electric public utility shall do each of the following:

(a) File with the commission rates that result in customers receiving market–based compensation for voluntary interruptions of firm load during peak periods of electric use.

(b) File with the commission market–based pricing options and options for individual contracts that allow a

retail customer, through service from its existing public utility, to receive market benefits and take market risks for the customer's purchases of capacity or energy.

(3) (a) The commission shall approve market–based rates that are consistent with the options specified in sub. (2), except that the commission may not approve a market–based rate unless the commission determines that the rate will not harm shareholders of the investor–owned electric public utility or customers who are not subject to the rate.

(b) Nothing in s. 196.20, 196.21, 196.22, 196.37, 196.60 or 196.604 prohibits the commission from approving a filing under sub. (2) or approving market–based rates under par. (a).

(4) Subject to any approval of the commission that is necessary, an electric public utility that is not an investor–owned electric public utility may implement market–based rates approved under sub. (3) (a) or implement the options in filings under sub. (2) that are approved by the commission.

Vetoed In Part

SECTION 2313m. 196.208 (5p) of the statutes is created to read:

196.208 **(5p)** TOLL–FREE CALLS ANSWERED BY PRISONERS. (a) In this subsection:

1. "Charitable organization" has the meaning given in s. 440.41 (1).

2. "Prisoner" means a prisoner of any correctional or detention facility located in this state.

(b) If a prisoner is employed directly or indirectly by a charitable organization or toll–free service vendor to answer calls made to the charitable organization or toll–free service vendor, the prisoner shall do all of the following immediately upon answering a call:

1. Identify himself or herself by name.

2. State that he or she is a prisoner.

3. Inform the calling party of the name of the correctional or detention facility in which he or she is a prisoner and the city in which the facility is located.

(c) A charitable organization or toll–free service vendor that directly or indirectly employs a prisoner shall provide reasonable supervision of the prisoner to assure the prisoner's compliance with par. (b).

SECTION 2313u. 196.208 (11) (d) of the statutes is renumbered 196.208 (11) (d) 1. and amended to read:

196.208 **(11)** (d) 1. ~~Any~~ Except as provided in subd. 2., any person who violates subs. (2) to (9) shall be required to forfeit not less than $25 nor more than $5,000 for each offense.

3. Forfeitures under ~~this paragraph~~ subds. 1. and 2. shall be enforced by action on behalf of the state by the department of justice or, upon informing the department of justice, by the district attorney of the county where the violation occurs.

SECTION 2313y. 196.208 (11) (d) 2. of the statutes is created to read:

Vetoed In Part

196.208 **(11)** (d) 2. a. A prisoner who violates sub. (5p) (b) may be required to forfeit not more than $500.

b. A person who employs a prisoner to answer calls made to a toll–free telephone number may be required to forfeit not more than $10,000 if the person violates sub. (5p) (c), aids and abets a prisoner's violation of sub. (5p) (b), is a party to a conspiracy with a prisoner to commit a violation of sub. (5p) (b) or advises, hires or counsels or otherwise procures a prisoner to commit a violation of sub. (5p) (b).

SECTION 2316. 196.218 (1) (a) and (b) of the statutes are repealed.

SECTION 2317. 196.218 (3) (a) 3. of the statutes is amended to read:

196.218 **(3)** (a) 3. The commission shall designate the method by which the contributions under this paragraph shall be calculated and collected. The method shall ensure that the contributions are sufficient to generate the amounts appropriated under ss. 20.155 (1) (q), 20.255 (3) (q), 20.275 (1) (s), (t) and (tm) and 20.285 (1) (q). Contributions may be based only on the gross operating revenues from the provision of broadcast services identified by the commission under subd. 2. and on intrastate telecommunications services in this state of the telecommunications providers subject to the contribution.

SECTION 2318. 196.218 (4r) (title) of the statutes is renumbered 44.73 (title).

SECTION 2319. 196.218 (4r) (a) (intro.) of the statutes is repealed.

SECTION 2320. 196.218 (4r) (a) 1. of the statutes is renumbered 44.70 (1m).

SECTION 2321. 196.218 (4r) (a) 2. and 2m. of the statutes are renumbered 44.70 (3g) and (3j).

SECTION 2322. 196.218 (4r) (a) 3. of the statutes is renumbered 44.70 (6).

SECTION 2323. 196.218 (4r) (b) of the statutes is renumbered 44.73 (1) and amended to read:

44.73 **(1)** ~~The commission~~ Except as provided in s. 196.218 (4t), the board, in consultation with the department ~~and the board~~, shall promulgate rules establishing an educational telecommunications access program to provide ~~school districts, private schools, cooperative educational service agencies, technical college districts, private colleges and public library boards~~ educational agencies with access to data lines and video links.

SECTION 2324. 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the statutes are renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

44.73 **(2)** (intro.) The rules promulgated under ~~par. (b)~~ sub. (1) shall do all of the following:

(a) Allow ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency to make a request to the board for access to either one data line or one video link, except that ~~if~~ any

educational agency may request access to additional data lines if the agency shows to the satisfaction of the board that the additional data lines are more cost–effective than a single data line and except that a school district that operates more than one high school ~~the rules shall allow the school district to~~ may request access to both a data line and a video link and ~~to request~~ access to more than one data line or video link. ~~The board shall forward requests received under this subdivision to the commission and the department.~~

(b) Establish eligibility requirements for ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency to participate in the program established under ~~par. (b). The requirements shall prohibit a participant in the program from receiving assistance from the universal service fund for the purpose specified in sub. (5) (a) 3. for educational telecommunications access that is substantially similar to the access provided to the participant under the program~~ sub. (1).

(c) Establish specifications for ~~a~~ data ~~line or~~ lines and video ~~link that~~ links for which access is provided to ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency under the program established under ~~par. (b)~~ sub. (1).

(d) Require ~~a school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ an educational agency to pay the department not more than $250 per month for each data line or video link that is provided to the ~~school district, private school, cooperative educational service agency, technical college district, private college and public library board~~ educational agency under the program established under ~~par. (b)~~ sub. (1), except that the charge may not exceed $100 per month for each data line or video link that relies on a transport medium that operates at a speed of 1.544 megabits per second.

SECTION 2325. 196.218 (4r) (c) 5. of the statutes is renumbered 44.73 (2) (e).

SECTION 2326. 196.218 (4r) (d) of the statutes is renumbered 44.73 (3) and amended to read:

44.73 **(3)** The ~~commission~~ board shall submit an annual report to the ~~board~~ department on the status of providing data lines and video links that are requested under ~~par. (c) 1.~~ sub. (2) (a) and the impact on the universal service fund of any payment under ~~sub. (5) (a) 5.~~ contracts under s. 16.974 (7).

SECTION 2327. 196.218 (4r) (e) of the statutes is renumbered 44.73 (4) and amended to read:

44.73 **(4)** If the federal communications commission promulgates or modifies rules that provide rate discounts for telecommunications services to ~~school districts, private schools, cooperative educational service agencies, technical college districts, private colleges or public library boards~~ educational agencies under 47 USC 254, the governor shall submit a report to the joint committee on finance that includes any recommended changes to statutes or rules with respect to funding the program established under ~~par. (b)~~ sub. (1).

SECTION 2328. 196.218 (4r) (f) of the statutes is renumbered 44.73 (5) and amended to read:

44.73 **(5)** Notwithstanding ~~pars. (b) and (c)~~ subs. (1) and (2), technical college districts are not eligible to participate in the program established under ~~par. (b)~~ sub. (1) before April 1, 1998. ~~In consultation with the commission, the~~ The board shall determine by April 1, 1998, whether there are sufficient moneys in the appropriation under s. 20.275 (1) ~~(s)~~ (t) to include technical college districts in the program established under ~~par. (b)~~ sub. (1). If the board determines that there are sufficient moneys, technical college districts are eligible to participate in the program established under ~~par. (b)~~ sub. (1) beginning on April 1, 1998.

SECTION 2329. 196.218 (4r) (g) of the statutes is renumbered 44.73 (6) and amended to read:

44.73 **(6)** From the appropriation under s. 20.275 (1) (gf), (gh), (s) or (tm), the board may award an annual grant to a school district or private school that had in effect on October 14, 1997, a contract for access to a data line or video link, as documented by the ~~commission~~ board. The board shall determine the amount of the grant, which shall be equal to the cost incurred by the state to provide telecommunications access to a school district or private school under a contract entered into under s. 16.974 (7) (a) or (c) less the amount that the school district or private school would be paying under ~~par. (c) 4.~~ sub. (2) (d) if the school district or private school were participating in the program established under ~~par. (b)~~ sub. (1), except that the amount may not be greater than the cost that a school district or private school incurs under the contract in effect on October 14, 1997. A school district or private school receiving a grant under this ~~paragraph~~ subsection is not eligible to participate in the program under ~~par. (b)~~ sub. (1). No grant may be awarded under this ~~paragraph~~ subsection after June 30, 2002.

Vetoed In Part

SECTION 2329g. 196.218 (4t) of the statutes is created to read:

196.218 **(4t)** EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The commission, in consultation with the department of administration and the technology for educational achievement in Wisconsin board, shall promulgate rules specifying the telecommunications services eligible for funding through the educational telecommunications access program under s. 44.73.

SECTION 2329m. 196.218 (4u) of the statutes is created to read:

196.218 **(4u)** MEDICAL TELECOMMUNICATIONS EQUIPMENT PROGRAM. From the appropriation under 20.155 (1) (q), the commission may spend up to $500,000 annually for grants to nonprofit medical clinics and public health agencies for the purchase of telecommunications equipment to be used in providing services to their clients. The commission shall promulgate rules establishing requirements and procedures for awarding grants under this subsection.

SECTION 2330. 196.218 (5) (a) 3. of the statutes is repealed.

SECTION 2331. 196.218 (5) (a) 5. of the statutes is amended to read:

196.218 **(5)** (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to the extent that these costs are not paid under ~~sub. (4r) (c) 4~~ s. 44.73 (2) (d).

SECTION 2331g. 196.218 (5) (a) 5m. of the statutes is created to read:

196.218 **(5)** (a) 5m. To provide statewide access, through the Internet, to periodical and reference information data bases.

SECTION 2332. 196.218 (5) (a) 7. of the statutes is amended to read:

196.218 **(5)** (a) 7. To make grants awarded by the technology for educational achievement in Wisconsin board to school districts and private schools under ~~sub. (4r) (g)~~ s. 44.73 (6). This subdivision does not apply after June 30, 2002.

SECTION 2332f. 196.218 (5) (a) 8. of the statutes is created to read:

196.218 **(5)** (a) 8. To promote access to information and library services to blind and visually handicapped individuals.

SECTION 2332m. 196.218 (5) (a) 9. of the statutes is created to read:

196.218 **(5)** (a) 9. To make grants under sub. (4u).

Vetoed In Part

SECTION 2332n. 196.218 (5) (a) 10. of the statutes is created to read:

196.218 **(5)** (a) 10. To provide administrative services under the rehabilitation teaching program for blind and visually impaired persons under s. 46.293.

SECTION 2332t. 196.218 (5) (d) of the statutes is created to read:

196.218 **(5)** (d) 1. In this paragraph, "Wisconsin works agency" has the meaning given in s. 49.001 (9).

2. The commission shall annually provide information booklets to all Wisconsin works agencies that describe the current assistance from the universal service fund that is available to low–income individuals who are served by the Wisconsin works agencies, including a description of how such individuals may obtain such assistance. The department of workforce development shall assist the commission in identifying the Wisconsin works agencies to which the commission is required to submit the information required under this subdivision.

SECTION 2333. 196.218 (5m) of the statutes is amended to read:

196.218 **(5m)** RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b), at~~ At least biennially, the commission shall review and revise as appropriate rules promulgated under this section.

SECTION 2333m. 196.218 (5u) of the statutes is created to read:

196.218 **(5u)** BIENNIAL BUDGET REQUEST. The commission shall include in its biennial budget request under s. 16.42 a proposed budget for each individual program for which the commission proposes to expend moneys from the universal fund in the forthcoming biennium. A proposed budget under this subsection shall describe each program and identify the proposed expenditure amount for each program for each fiscal year of the biennium.

SECTION 2334. 196.218 (6) (b) of the statutes is amended to read:

196.218 **(6)** (b) The universal service fund council shall advise the commission concerning the administration of this section and the content of rules promulgated under this section. ~~This paragraph does not apply to the administration of sub. (4r) and rules promulgated under sub. (4r) (b).~~

SECTION 2334d. 196.31 (1) (intro.) of the statutes is amended to read:

196.31 **(1)** (intro.) In any proceeding before the commission, the commission ~~may~~ shall compensate any participant in the proceeding who is not a public utility, for some or all of the reasonable costs of participation in the proceeding if the commission finds that:

SECTION 2334h. 196.31 (1) (a) of the statutes is amended to read:

196.31 **(1)** (a) The participation is necessary to provide for the record an adequate presentation of a significant position in which the participant has a substantial interest, and that an adequate presentation would not ~~be possible~~ occur without a grant of compensation; or

SECTION 2334p. 196.374 of the statutes is repealed and recreated to read:

196.374 Low–income assistance, energy efficiency and other programs. (1) In this section:

(a) "Department" means the department of administration.

(b) "Fund" means the utility public benefits fund.

(c) "Utility" means a Class A gas or electric utility, as defined by the commission, but does not include a municipal utility, as defined in s. 16.957 (1) (q), a municipal electric company, as defined in s. 66.073 (3) (d), or a cooperative association organized under ch. 185.

(2) The commission shall determine the amount that each utility spent in 1998 on programs for each of the following:

(a) Low–income assistance, including low–income weatherization and writing off uncollectibles and arrearages.

(b) Energy conservation and efficiency.

(c) Environmental research and development.

(d) Renewable resources.

(3) In 2000, 2001 and 2002, the commission shall require each utility to spend a decreasing portion of the amount determined under sub. (2) on programs specified in sub. (2) and contribute the remaining portion of the amount to the commission for deposit in the fund. In each year after 2002, each utility shall contribute the entire amount determined under sub. (2) to the commission for deposit in the fund. The commission shall ensure in rate–making orders that a utility recovers from its ratepayers the amounts spent on programs or contributed to the fund under this subsection. The commission shall allow each utility the option of continuing to use, until January 1, 2002, the moneys that it has recovered under s. 196.374 (3), 1997 stats., to administer the programs that it has funded under s. 196.374 (1), 1997 stats.

The commission may allow each utility to spend additional moneys on the programs specified in sub. (2) if the utility otherwise complies with the requirements of this section and s. 16.957 (4).

(4) If the department notifies the commission under s. 16.957 (2) (b) 2. that the department has reduced funding for energy conservation and efficiency and renewable resource programs by an amount that is greater than the portion of the public benefits fee specified in s. 16.957 (4) (c) 2., the commission shall reduce the amount that utilities are required to spend on programs or contribute to the fund under sub. (3) by the portion of the reduction that exceeds the amount of public benefits fees specified in s. 16.957 (4) (c) 2.

SECTION 2334t. 196.378 of the statutes is created to read:

196.378 Renewable resources. (1) DEFINITIONS. In this section:

(a) "Biomass" means a resource that derives energy from wood or plant material or residue, biological waste, crops grown for use as a resource or landfill gases. "Biomass" does not include garbage, as defined in s. 289.01 (9), or nonvegetation–based industrial, commercial or household waste, except that "biomass" includes refuse–derived fuel used for a renewable facility that was in service in this state before January 1, 1998.

(am) "Biomass cofired facility" means a renewable facility in which biomass and conventional resources are fired together.

(b) "Conventional resource" means a resource that derives energy from coal, oil, nuclear power or natural gas, except for natural gas used in a fuel cell.

(bm) "Department" means the department of administration.

(c) "Electric provider" means an electric utility or retail electric cooperative.

(d) "Electric utility" means a public utility that sells electricity at retail. For purposes of this paragraph, a public utility is not considered to sell electricity at retail solely on the basis of its ownership or operation of a retail electric distribution system.

(e) "Excludable renewable energy" means the portion of an electric provider's total renewable energy that is supplied from renewable facilities that were placed in service before January 1, 1998, and that, before January 1, 1998, derived electricity from hydroelectric power, even if the output of the renewable facilities is used to satisfy requirements under federal law.

(f) "Nonsystem renewable energy" means the amount of electricity that an electric provider sells to its retail customers or members and that is supplied or allocated under executed wholesale purchase contracts from renewable facilities that are not owned or operated by the electric provider. "Nonsystem renewable energy" does not include any electricity that is not used to satisfy the electric provider's retail load obligations.

(g) "Renewable facility" means an installed and operational electric generating facility in which electricity is derived from a renewable resource. "Renewable facility" includes a facility the installation or operation of which is required under federal law, but does not include a facility the installation or operation of which is required under the laws of another state even if the installation or operation of the facility is also required under federal law.

(h) "Renewable resource" means any of the following:

1. A resource that derives electricity from any of the following:

a. A fuel cell that uses, as determined by the commission, a renewable fuel.

b. Tidal or wave action.

c. Solar thermal electric or photovoltaic energy.

d. Wind power.

e. Geothermal technology.

g. Biomass.

1m. A resource with a capacity of less than 60 megawatts that derives electricity from hydroelectric power.

2. Any other resource, except a conventional resource, that the commission designates as a renewable resource in rules promulgated under sub. (4).

(i) "Renewable resource credit" means a credit calculated in accordance with rules promulgated under sub. (3) (a).

(j) "Resource" means a source of energy used to generate electric power.

(k) "Retail electric cooperative" means a cooperative association organized under ch. 185 that sells electricity at retail to its members only. For purposes of this paragraph, a cooperative association is not considered to sell

electricity at retail solely on the basis of its ownership or operation of a retail electric distribution system.

(n) "System renewable energy" means the amount of electricity that an electric provider sells to its retail customers or members and that is supplied by renewable facilities owned or operated by the electric provider.

(o) "Total renewable energy" means the sum of an electric provider's system and nonsystem renewable energy.

(2) RENEWABLE RESOURCE ENERGY. (a) Each electric provider shall provide to its retail electric customers or members total renewable energy in at least the following percentages of its total retail electric sales, either directly or through renewable resource credits from another electric provider:

1. By December 31, 2001, 0.5%.
2. By December 31, 2003, 0.85%.
3. By December 31, 2005, 1.2%.
4. By December 31, 2007, 1.55%.
5. By December 31, 2009, 1.9%.
6. By December 31, 2011, 2.2%.

(b) For purposes of determining compliance with par. (a):

1. Total retail electric sales shall be calculated on the basis of an average of an electric provider's retail electric sales in this state during the prior 3 years.

2. The amount of electricity supplied by a biomass cofired facility that may be counted toward satisfying the requirements of par. (a) shall be an amount equal to the product of the maximum amount of electricity that the facility is capable of generating and the ratio of the energy content of the biomass fuels to the energy content of both the biomass and conventional resources.

3. Any excludable renewable energy that exceeds 0.6% of an electric provider's total retail electric sales shall be excluded from the electric provider's total renewable energy.

4. The members of a municipal electric company, as defined in s. 66.073 (3) (d), may aggregate and allocate renewable energy among themselves.

(c) No later than April 15 annually, an electric provider shall submit a report to the department that describes the electric provider's compliance with par. (a). Reports under this paragraph may include certifications from wholesale suppliers regarding the sources and amounts of energy supplied to an electric provider. The department may specify the documentation that is required to be included with reports submitted under this paragraph.

(d) The commission shall allow an electric utility to recover from ratepayers the cost of providing total renewable energy to its retail customers in amounts that equal or exceed the percentages specified in par. (a). Subject to any approval of the commission that is necessary, an electric utility may recover costs under this paragraph by any of the following methods:

1. Allocating the costs equally to all customers on a kilowatt–hour basis.

2. Establishing alternative price structures, including price structures under which customers pay a premium for renewable energy.

3. Any combination of the methods specified in subds. 1. and 2.

(e) 1. This subsection does not apply to any of the following:

a. An electric provider that provides more than 10% of its summer peak demand in this state from renewable facilities.

b. An electric provider that provides more than 10% of its summer peak demand from renewable resources.

2. For purposes of calculating the percentages under subd. 1., an electric provider may include renewable facilities located in this or another state and renewable facilities located on its or another electric provider's system.

3. Notwithstanding subd. 1., this subsection applies to an electric provider unless the electric provider provides documentation to the commission that establishes, to the satisfaction of the commission, that the electric provider satisfies the requirements under subd. 1. a. or b.

(3) RENEWABLE RESOURCE CREDITS. (a) An electric provider that provides total renewable energy to its retail electric customers or members in excess of the percentages specified in sub. (2) (a) 1. to 6. may, in the applicable year, sell to any other electric provider a renewable resource credit or a portion of a renewable resource credit at any negotiated price. Alternatively, an electric provider may use a renewable resource credit or portion of a renewable resource credit in a subsequent year to establish compliance with sub. (2) (a). The commission shall promulgate rules that establish requirements for the use of a renewable resource credit, including calculating the amount of a renewable resource credit.

(b) The commission may promulgate rules that establish requirements and procedures for a sale under par. (a).

(4) RULES. The commission may promulgate rules that designate a resource, except for a conventional resource, as a renewable resource in addition to the resources specified in sub. (1) (h) 1. and 1m.

(5) PENALTY. Any person who violates sub. (2) or any wholesale supplier who provides an electric provider with a false or misleading certification regarding the sources or amounts of energy supplied to the electric provider shall forfeit not less than $5,000 nor more than $500,000. Forfeitures under this subsection shall be enforced by action on behalf of the state by the attorney general. A court imposing a forfeiture under this subsection shall consider all of the following in determining the amount of the forfeiture:

(a) The appropriateness of the forfeiture to the person's or wholesale supplier's volume of business.

(b) The gravity of the violation.

(c) Whether a violation of sub. (2) is due to circumstances beyond the violator's control.

SECTION 2335m. 196.44 (2) (b) of the statutes is amended to read:

196.44 **(2)** (b) The attorney general may, on his or her own initiative, appear before the commission on telecommunications matters relating to consumer protection and antitrust. If acting under the authority granted by this paragraph, the attorney general shall have the rights accorded a party before the commission in its proceedings but may not appeal as a party a decision of the commission to the circuit court. This paragraph does not apply after June 30, ~~1999~~ 2001.

SECTION 2335ta. 196.485 (title) of the statutes is repealed and recreated to read:

196.485 (title) **Transmission system requirements.**

SECTION 2335tb. 196.485 (1) (am) of the statutes is created to read:

196.485 **(1)** (am) "Contribute a transmission facility" means to divest a person's interest in the transmission facility and to transfer ownership of the transmission facility, and associated deferred tax reserves and deferred investment tax credits to the extent permitted by law, to another person.

SECTION 2335tc. 196.485 (1) (be) of the statutes is created to read:

196.485 **(1)** (be) "Director" means, with respect to a transmission company organized as a corporation under ch. 180, a member of the board of directors of the transmission company.

SECTION 2335td. 196.485 (1) (bs) of the statutes is created to read:

196.485 **(1)** (bs) "Electric utility" means any of the following:

1. A public utility that is involved in the generation, transmission, distribution or sale of electric energy.

2. A retail or wholesale electric cooperative.

SECTION 2335te. 196.485 (1) (dm) (intro.) of the statutes is amended to read:

196.485 **(1)** (dm) (intro.) "Independent transmission owner" ~~means~~:

1m. Means a person that satisfies each of the following:

SECTION 2335tf. 196.485 (1) (dm) 1. of the statutes is renumbered 196.485 (1) (dm) 1m. a.

SECTION 2335tg. 196.485 (1) (dm) 2. of the statutes is created to read:

196.485 **(1)** (dm) 2. Does not include the transmission company.

SECTION 2335th. 196.485 (1) (dm) 3. of the statutes is renumbered 196.485 (1) (dm) 1m. b. and amended to read:

196.485 **(1)** (dm) 1m. b. The person is not an affiliated interest of a person specified in subd. ~~1.~~ 1m. a.

SECTION 2335ti. 196.485 (1) (do) of the statutes is created to read:

196.485 **(1)** (do) "Land right" means any right in real property, including fee simple ownership or a right–of–way or easement, that has been acquired for a transmission facility that is located or intended to be located on the real property.

SECTION 2335tk. 196.485 (1) (dq) of the statutes is created to read:

196.485 **(1)** (dq) "Manager" means, with respect to a transmission company organized as a limited liability company under ch. 183, the representatives of the security holders that are elected or appointed under sub. (3m) (c).

SECTION 2335tL. 196.485 (1) (dr) of the statutes is created to read:

196.485 **(1)** (dr) "Merger enforcement policy" means the enforcement policy of the federal department of justice and the federal trade commission regarding horizontal acquisitions and mergers that are subject to 15 USC 1, 18 or 45.

SECTION 2335tm. 196.485 (1) (ds) of the statutes is created to read:

196.485 **(1)** (ds) "Midwest independent system operator" means the independent system operator the establishment of which the federal energy regulatory commission has conditionally authorized in an order issued on September 16, 1998, or the successor to such independent system operator.

SECTION 2335tn. 196.485 (1) (dt) of the statutes is created to read:

196.485 **(1)** (dt) "Nontransmission utility security holder" means a security holder that is not a transmission utility security holder.

SECTION 2335to. 196.485 (1) (dv) of the statutes is created to read:

196.485 **(1)** (dv) "Organizational start–up date" means, with respect to a transmission company that is organized as a limited liability company under ch. 183, the date on which the articles of organization become effective under s. 183.0111 or, with respect to a transmission company that is organized as a corporation under ch. 180, the date on which the articles of incorporation become effective under s. 180.0123.

SECTION 2335tp. 196.485 (1) (em) of the statutes is created to read:

196.485 **(1)** (em) "Retail electric cooperative" means a cooperative that provides retail electric service to its members.

SECTION 2335tq. 196.485 (1) (fe) of the statutes is created to read:

196.485 **(1)** (fe) "Security" means, with respect to a transmission company organized as a corporation under ch. 180, a share, as defined in s. 180.0103 (15), and, with respect to a transmission company organized as a limited

liability company under ch. 183, a limited liability company interest, as defined in s. 183.0102 (11).

SECTION 2335tr. 196.485 (1) (ge) of the statutes is created to read:

196.485 **(1)** (ge) "Transmission company" means a corporation organized under ch. 180 or a limited liability company organized under ch. 183 that has as its sole purpose the planning, constructing, operating, maintaining and expanding of transmission facilities that it owns to provide for an adequate and reliable transmission system that meets the needs of all users that are dependent on the transmission system and that supports effective competition in energy markets without favoring any market participant.

SECTION 2335ts. 196.485 (1) (gm) of the statutes is created to read:

196.485 **(1)** (gm) "Transmission dependent utility" means an electric utility that is not a transmission utility and that is dependent on the transmission system of another person for delivering electricity to the electric utility's customers.

SECTION 2335tt. 196.485 (1) (j) of the statutes is created to read:

196.485 **(1)** (j) "Transmission utility security holder" means a person that is a security holder of a transmission company, is an investor–owned transmission utility in the transmission area and has contributed its transmission facilities to the transmission company.

SECTION 2335ttm. 196.485 (1) (k) of the statutes is created to read:

196.485 **(1)** (k) "Wholesale electric cooperative" means a cooperative that provides wholesale electric service to its members.

SECTION 2335tu. 196.485 (1m) of the statutes is created to read:

196.485 **(1m)** DUTY TO PROVIDE TRANSMISSION SERVICE. (a) The duty of any electric utility that has contributed its transmission facilities to the transmission company to finance, construct, maintain or operate a transmission facility shall terminate on the date, as determined by the commission under sub. (2) (d), that the transmission company begins operations.

(b) After beginning operations, the transmission company shall, except for transmission service provided by an electric utility that has not transferred its transmission facilities to the the transmission company, have the exclusive duty to provide transmission service in those areas in which transmission facilities have been contributed. The duty under this paragraph shall terminate on the date, as determined by the commission under sub. (2) (d), that the Midwest independent system operator begins operations.

(c) After beginning operations, the Midwest independent system operator shall, except for transmission service provided by an electric utility that has not transferred control over its transmission facilities to the Midwest independent system operator, have the exclusive duty to provide transmission service in the transmission area and shall ensure that each transmission facility in the transmission area that is under its operational control is planned, constructed, operated, maintained and controlled as part of a single transmission system.

SECTION 2335tv. 196.485 (2) (a) (intro.) of the statutes is amended to read:

196.485 **(2)** (a) (intro.) By June 30, 2000, if a transmission utility has not transferred control over its transmission facilities to an independent system operator that is approved by the applicable federal agency or divested, with approval of the applicable federal agency and, for a public utility, the commission, its interest in its transmission facilities to an independent transmission owner, the commission shall, subject to ~~par.~~ pars. (am) and (ar), order the transmission utility to apply to the applicable federal agency to do one of the following:

SECTION 2335tw. 196.485 (2) (ar) of the statutes is created to read:

196.485 **(2)** (ar) The commission shall waive the requirement to issue an order against a transmission utility under par. (a) if the transmission utility shows, to the satisfaction of the commission, that a transfer of its transmission facilities to the Midwest independent system operator may have the effect of jeopardizing the tax–exempt status of the transmission utility or its securities under the Internal Revenue Code. A waiver under this paragraph shall be in effect until the commission determines that the proposed transfer does not have the effect described in this paragraph.

SECTION 2335tx. 196.485 (2) (bx) of the statutes is created to read:

196.485 **(2)** (bx) If the Midwest system operator fails to commence operations or ceases operations, the requirements of this section that apply to the Midwest independent system operator shall apply to any other independent system operator or regional transmission organization that is authorized under federal law to operate in this state. The commission shall require that any transfer of transmission facilities to such independent system operator or regional transmission organization satisfies the requirements of this section.

SECTION 2335ty. 196.485 (2) (d) of the statutes is created to read:

196.485 **(2)** (d) The commission shall determine each of the following:

1. The date on which the transmission company begins operations.

2. Whether the Midwest independent system operator has begun operations and the date on which such operations have begun.

SECTION 2335tz. 196.485 (3) (bm) of the statutes is repealed.

SECTION 2335ub. 196.485 (3m) of the statutes is created to read:

196.485 **(3m)** TRANSMISSION COMPANY. (a) *Duties.* 1. The transmission company shall do each of the following:

a. Apply for any approval under state or federal law that is necessary for the transmission company to begin operations no later than November 1, 2000.

b. Subject to any approval required under state or federal law, contract with each transmission utility that has transferred transmission facilities to the transmission company for the transmission utility to provide reasonable and cost–effective operation and maintenance services to the transmission company during the 3–year period after the transmission company first begins operations. The transmission company and a transmission utility may, subject to any approval required under federal or state law, agree to an extension of such 3–year period.

c. Assume the obligations of a transmission utility that has transferred ownership of its transmission facilities to the transmission company under any agreement by the transmission utility to provide transmission service over its transmission facilities or credits for the use of transmission facilities, except that the transmission company may modify such an agreement to the extent allowed under the agreement and to the extent allowed under state or federal law.

d. Apply for membership in the Midwest independent system operator as a single zone for pricing purposes that includes the transmission area and, upon a determination by the commission under sub. (2) (d) that the Midwest independent system operator has begun operations, transfer operational control of the transmission company's transmission facilities to the Midwest independent system operator.

e. Remain a member of the Midwest independent system operator, or any independent system operator or regional transmission organization that has been approved under federal law to succeed the Midwest independent system operator, for at least the 6–year transition period that is specified in the agreement conditionally approved by the federal energy regulatory commission that establishes the Midwest independent system operator.

f. Subject to subd. 4., elect to be included in a single zone for the purpose of any tariff administered by the Midwest independent system operator.

2. The transmission company may not do any of the following:

a. Sell or transfer its assets to, or merge its assets with, another person, unless the assets are sold, transferred or merged on an integrated basis and in a manner that ensures that the transmission facilities in the transmission area are planned, constructed, operated, maintained and controlled as a single transmission system.

b. Bypass the distribution facilities of an electric utility or provide service directly to a retail customer or member.

c. Own electric generation facilities or sell, market or broker electric capacity or energy in a relevant wholesale or retail market as determined by the commission, except that, if authorized or required by the federal energy regulatory commission, the transmission company may procure or resell ancillary services obtained from 3rd parties, engage in redispatch activities that are necessary to relieve transmission constraints or operate a control area.

3. Notwithstanding subd. 1. a., the transmission company may not begin operations until it provides an opinion to the commission from a nationally recognized investment banking firm that the transmission company is able to finance, at a reasonable cost, its start–up costs, working capital and operating expenses and the cost of any new facilities that are planned.

4. If the transmission charges or rates of any transmission utility in the transmission area are 10% or more below the average transmission charges or rates of the transmission utilities in the transmission area on the date, as determined by the commission, that the last public utility affiliate files a commitment with the commission under sub. (5) (a) 2., the transmission company shall, after consulting with each public utility affiliate that has filed a commitment under sub. (5) (a) 2., prepare a plan for phasing in a combined single zone rate for the purpose of pricing network use by users of the transmission system operated by the Midwest independent system operator and shall seek plan approval by the federal energy regulatory commission and the Midwest independent system operator. A plan under this subdivision shall phase in an average–cost price for the combined single zone in equal increments over a 5–year period, except that, under the plan, transmission service shall be provided to all users of the transmission system on a single–zone basis during the phase–in period.

(b) *Powers.* The transmission company may do any of the following:

1. Subject to the approval of the commission under s. 196.491 (3), construct and own transmission facilities, including high–voltage transmission lines, as defined in s. 196.491 (1) (f), in the transmission area or in any other area of the state in which transmission facilities that have been contributed to the transmission company are located. This subdivision does not affect the right or duty of an electric utility that is not located in the transmission area or that has not contributed its transmission facilities to the transmission company to construct or own transmission facilities.

2. Subject to any approval required under state or federal law, purchase or acquire transmission facilities in addition to the transmission facilities contributed under sub. (5) (b).

(c) *Organization.* The operating agreement, as defined in s. 183.0102 (16), of a transmission company that is organized as a limited liability company under ch. 183 or the bylaws of a transmission company that is orga-

nized as a corporation under ch. 180 shall provide for each of the following:

1. That the transmission company has no less than 5 nor more than 14 managers or directors, except that the operating agreement or bylaws may allow the requirements of this subdivision to be modified upon a unanimous vote of the managers or directors during the 10–year period after the organizational start–up date or upon a two–thirds vote of the board of directors or managers after such 10–year period.

2. That at least 4 managers or directors of the transmission company have staggered 4–year terms, are elected by a majority vote of the voting security holders and are not directors, employes or independent contractors of a person engaged in the production, sale, marketing, transmission or distribution of electricity or natural gas or of an affiliate of such a person.

3. That, during the 10–year period after the organizational start–up date, each of the following is satisfied, subject to the limitation on the number of managers or directors under subd. 1.:

a. Each nontransmission utility security holder that owns 10% or more of the outstanding voting securities of the transmission company may appoint one manager or director of the transmission company for a one–year term, except that the requirements of this subd. 3. a. may be modified upon a unanimous vote of the managers or directors.

b. Each group of nontransmission utility security holders that, as a group, owns 10% or more of the outstanding voting securities of the transmission company may appoint one manager or director of the transmission company for a one–year term if the group has entered into a written agreement regarding the appointment and the group files the agreement with the transmission company, except that the requirements of this subd. 3. b. may be modified upon a unanimous vote of the managers or directors.

bg. Each nontransmission utility security holder that makes an appointment under subd. 3. a. is not allowed to make an appointment under subd. 3. b. as a member of a group of nontransmission utility security holders.

br. Each nontransmission utility security holder that makes an appointment as a member of a group under subd. 3. b. is not allowed to make an appointment under subd. 3. a.

c. Each person that receives at least 5% of the voting securities of the transmission company under sub. (6) (a) 1. or 3. may appoint one manager or director of the transmission company for a one–year term if the person continues to hold at least a 5% equity interest in the transmission company during the one–year term and if the person does not make an appointment under subd. 3. a., b. or d.

d. Each transmission utility security holder may appoint one manager or director of the transmission company for a one–year term.

4. That, during the 5–year period after the organizational start–up date, no public utility affiliate that contributes transmission facility assets to the transmission company under sub. (5) (b) and no affiliate of such a public utility affiliate may increase its percentage share of the outstanding securities of the transmission company prior to any initial issuance of securities by the transmission company to any 3rd party other than a 3rd party exercising its right to purchase securities under sub. (6) (a) 3., except that this subdivision does not apply to securities that are issued by the transmission company in exchange for transmission facilities that are contributed in addition to the transmission facilities that are contributed under sub. (5) (b) and except that the requirements of this subdivision may be modified upon a unanimous vote of the managers or directors.

5. That, beginning 3 years after the organizational start–up date, any holder of 10% or more of the securities of the transmission company may require the transmission company to comply with any state or federal law that is necessary for the security holder to sell or transfer its shares.

(d) *Commission jurisdiction.* The transmission company is subject to the jurisdiction of the commission except to the extent that it is subject to the exclusive jurisdiction of the federal energy regulatory commission.

SECTION 2335ud. 196.485 (4) (a) (intro.) of the statutes is amended to read:

196.485 **(4)** (a) (intro.) ~~A~~ Except as provided in par. (am), a transmission utility may not transfer control over, or divest its interest in, its transmission facilities to an independent system operator or independent transmission owner unless, to the satisfaction of the commission, each of the following requirements is satisfied:

SECTION 2335uf. 196.485 (4) (am) of the statutes is created to read:

196.485 **(4)** (am) Each transmission utility in the transmission area that is a public utility shall become a member of the Midwest independent system operator no later than June 30, 2000, and shall transfer operational control over its transmission facilities to the Midwest independent system operator. Each such transmission utility that has not contributed its transmission facilities to the transmission company shall elect to become part of the single zone for pricing purposes within the Midwest independent system operator and any phase–in plan prepared under sub. (3m) (a) 4.

SECTION 2335uh. 196.485 (5) of the statutes is created to read:

196.485 **(5)** PUBLIC UTILITY AFFILIATES. (a) *Asset cap exception.* Section 196.795 (6m) (e) does not apply to the eligible assets of a nonutility affiliate in a holding company system unless each public utility affiliate in the holding company system does each of the following:

1. Petitions the commission and the federal energy regulatory commission to approve the transfer of opera-

tional control of all the public utility affiliate's transmission facilities in this state and in Iowa, Michigan, Minnesota and Illinois to the Midwest independent system operator.

2. Files with the commission an unconditional, irrevocable and binding commitment to contribute, no later than September 30, 2000, all of the transmission facilities that the public utility affiliate owns or operates in this state on the effective date of this subdivision .... [revisor inserts date], and land rights, to the transmission company. A filing under this subdivision shall specify a date no later than September 30, 2000, on which the public utility affiliate will complete the contribution of transmission facilities.

3. Files with the commission an unconditional, irrevocable and binding commitment to contribute, and to cause each entity into which it merges or consolidates or to which it transfers substantially all of its assets to contribute, any transmission facility in this state the ownership or control of which it acquires after the effective date of this subdivision .... [revisor inserts date], and land rights, to the transmission company.

4. Notifies the commission in writing that the public utility affiliate has become a member of the Midwest independent system operator, has agreed to transfer its transmission facilities to the Midwest independent system operator and has committed not to withdraw its membership prior to the date on which the public utility affiliate contributes transmission facilities to the transmission company under par. (b).

5. Petitions the commission and the federal energy regulatory commission to approve the contributions specified in subds. 2. and 3. and agrees in such a petition not to withdraw the petition in the event that the commission or the federal energy regulatory commission conditions its approval on changes that are consistent with state and federal law.

(b) *Contribution of transmission facilities.* 1. A public utility affiliate may not contribute a transmission facility to the transmission company until the commission has reviewed the terms and conditions of the transfer to determine whether the transfer satisfies the requirements of this subsection and has issued an order approving the terms and conditions of the transfer. The commission may modify the terms and conditions of the transfer and take any other action necessary to satisfy the requirements of this subsection. An order under this subdivision that approves or modifies the terms and conditions of a transfer may allow a public utility affiliate to recover in retail rates any adverse tax consequences of the transfer as a transition cost.

2. The transmission company and a public utility affiliate that files a commitment to contribute transmission facilities under par. (a) 2. shall structure the transfer of the transmission facilities in a manner that satisfies each of the following:

a. The structure of the transfer avoids or minimizes material adverse tax consequences to the public utility affiliate from the transfer and avoids or minimizes material adverse consequences on public utility rates that do not arise out of combining the transmission company's facilities into a single zone in the Midwest independent system operator.

b. To the extent practicable, the structure of the transfer satisfies the requirements of the Internal Revenue Service for a tax–free transfer.

3. The requirements under subd. 2. b. shall, if practicable, be satisfied by the transmission company's issuance of a preferred class of securities that provides the fixed–cost portion of the resulting capital structure of the transmission company. The transmission company shall issue preferred securities under this subdivision on a basis that does not dilute the voting rights of the initial security holders relative to the value of their initial contributions.

4. If the transfer of transmission assets under this paragraph results in a capital structure of the transmission company in which the percentage of common equity is materially higher than that of the public utility affiliates who made the transfer, or if the cost of the fixed–cost portion of the capital structure of the transmission company is materially higher than that of the public utility affiliates who made the transfer, the public utility affiliates shall enter into a contract with the transmission company under which the public utility affiliates agree to accept from the transmission company a return on common equity based upon the equity rate of return approved by the federal energy regulatory commission and upon an imputed capital structure that assigns to a portion of the public utility affiliates' common equity holdings an imputed debt return that is consistent with the requirements of this subdivision. A contract under this subdivision shall specify that the public utility affiliates shall be required to accept the return on common equity described in this subdivision only until such time that the federal energy regulatory commission determines that the actual capital structure and capital costs of the transmission company are appropriate and consistent with industry practice for a regulated public utility that provides electric transmission service in interstate commerce.

5. If, at the time that a public utility affiliate files a commitment under par. (a) 2., the public utility affiliate has applied for or obtained a certificate of public convenience and necessity under s. 196.491 (3) or a certificate under s. 196.49 for the construction of transmission facilities, the public utility affiliate shall do each of the following:

a. Proceed with diligence with respect to obtaining the certificate and, except as provided in subd. 6., constructing the transmission facilities.

b. If the commission determines that the cost of the transmission facilities is reasonable and prudent, transfer

the transmission facilities to the transmission company at net book value when construction is completed in exchange for additional securities of the transmission company on a basis that is consistent with the securities that were initially issued to the public utility affiliate.

6. If the construction of a transmission facility specified in subd. 5. a. is not completed within 3 years after a certificate is issued for the transmission facility under s. 196.49 or 196.491 (3), the transmission company may assume responsibility for completing construction of the transmission facility. If the transmission company assumes responsibility for completing construction under this subdivision, the transmission company shall carry out any obligation under any contract entered into by the public utility with respect to the construction until the contract is modified or rescinded by the transmission company to the extent allowed under the contract.

7. Any transmission facilities that are contributed to the transmission company shall be valued at net book value determined on the basis of the regulated books of account at the time of the transfer.

(bm) *Lease of transmission facilities.* If a public utility affiliate is not able to contribute its transmission facilities to the transmission company as required under par. (b) due to merger–related accounting requirements, the public utility affiliate shall transfer the transmission facilities to the transmission company under a lease for the period of time during which the accounting requirements are in effect and, after such requirements are no longer in effect, contribute the transmission facilities to the transmission company under par. (b). A public utility affiliate that transfers transmission facilities under a lease under this paragraph does not qualify for the asset cap exception under par. (a) unless, during the term of the lease, the public utility affiliate does not receive any voting interest in the transmission company.

(c) *Contribution of land rights.* 1. A public utility affiliate that commits to contributing land rights to the transmission company under par. (a) 2. shall do each of the following:

a. Except as provided in subd. 2., if the land right is assigned to a transmission account for rate–making purposes and is not jointly used for electric and gas distribution facilities by the public utility affiliate, the public utility affiliate shall convey or assign at book value all of its interest in the land right to the transmission company, except that any conveyance or assignment under this subd. 1. a. shall be subject to the rights of any joint user of the land right and to the right of the public utility affiliate to nondiscriminatory access to the real estate that is subject to the land right.

b. If the land right is jointly used, or is intended to be jointly used, for electric and gas distribution facilities by the public utility affiliate, the public utility affiliate shall enter into a contract with the transmission company that grants the transmission company a right to place, maintain, modify or replace the transmission company's transmission facilities on the real property that is subject to the land right during the life of the transmission facilities and the life of any replacements of the transmission facilities. A right granted in a contract under this subd. 1. b. shall be paramount to the right of any other user of the land right, except that a right granted in such a contract shall be on par with the right of the public utility affiliate to use the land right for electric or gas distribution facilities.

2. If a public utility affiliate is prohibited from making a conveyance or assignment described in subd. 1. a., the public utility affiliate shall enter into a contract with the transmission company that grants the transmission company substantially the same rights as under such a conveyance or assignment. For purposes of a contract under this subdivision, a land right shall be valued at book value, not at market value.

3. The commission shall resolve any dispute over the contribution of a land right under subd. 1. or 2., including a dispute over the valuation of such a land right, unless a federal agency exercises jurisdiction over the dispute. During the pendency of any dispute that is before the commission or a federal agency, the transmission company shall be entitled to use the land right that is the subject to the dispute and shall be required to pay any compensation that is in dispute into an escrow account.

(d) *Applicability.* Notwithstanding sub. (1) (h), and subject to any approval required under federal law, for purposes of this subsection, a facility of a public utility affiliate is a transmission facility if any of the following applies:

1. The facility is not a radial facility and the facility is designed for operation at a nominal voltage of more than 130 kilovolts.

2. The facility is not a radial facility and the facility is designed for operation at a nominal voltage of more than 50 kilovolts but not more than 130 kilovolts, unless a person has demonstrated to the commission that the facility is not a transmission facility on the basis of factors for identifying a transmission facility that are specified in the orders of the federal energy regulatory commission under 16 USC 824d and 824e.

3. The facility is a radial facility or is designed for operation at a nominal voltage of 50 kilovolts or less, and a person has demonstrated to the commission that the facility is a transmission facility on the basis of factors for identifying a transmission facility that are specified in the orders of the federal energy regulatory commission under 16 USC 824d and 824e.

SECTION 2335uj. 196.485 (6) of the statutes is created to read:

196.485 **(6)** ELECTRIC UTILITIES, TRANSMISSION DEPENDENT UTILITIES AND RETAIL ELECTRIC COOPERATIVES. (a) No later than the first day of the 12th month beginning after the first public utility affiliate files a commitment under sub. (5) (a) 2.:

1. An electric utility, other than a public utility affiliate or an owner or operator of a wholesale merchant plant, as defined in s. 196.491 (1) (w), may transfer all of its transmission facilities that are specified in subd. 2. to the transmission company on the same terms and conditions as a contribution of transmission facilities and land rights by a public utility affiliate under sub. (5) (b) and (c).

2. An electric utility may transfer transmission facilities under subd. 1. if the transmission facilities are located in the geographic area that is served by the Mid–America Interconnected Network, Inc., or the Mid–Continent Area Power Pool reliability council of the North American Electric Reliability Council.

3. A transmission–dependent utility or retail electric cooperative may purchase equity interests in the transmission company at a price that is equivalent to net book value and on terms and conditions that are comparable to those for public utility affiliates that have contributed transmission facilities to the transmission company. A purchaser under this subdivision may contribute funds to the transmission company that are no more than the value of its prorated shares based on firm electric usage in this state in 1999.

(b) Notwithstanding sub. (1) (h), and subject to any approval required under federal law, for purposes of this subsection, a facility of an electric utility is a transmission facility if the criteria specified in sub. (5) (d) 1., 2. or 3. are satisfied.

SECTION 2335uk. 196.485 (6m) of the statutes is created to read:

196.485 **(6m)** DIVIDENDS, DISTRIBUTIONS, PROFITS AND GAINS. The commission may not treat any dividend or distribution received by a transmission utility from the transmission company or any gain or profit of a transmission utility from the sale or other disposition of securities issued by the transmission company as a credit against the retail revenue requirements of the transmission utility.

SECTION 2335um. 196.485 (7) of the statutes is created to read:

196.485 **(7)** ENFORCEMENT. A wholesale or retail customer of a public utility affiliate may petition the circuit court for Dane County for specific performance of a commitment filed under sub. (5) (a) 2. or 3.

SECTION 2335uo. 196.485 (8) of the statutes is created to read:

196.485 **(8)** PENALTIES. A public utility affiliate that fails to complete the contribution of transmission facilities to the transmission company by the completion date specified in the filing under sub. (5) (a) 2. shall forfeit $25,000 for each day that completion of the contribution is delayed if the transmission company is legally able to accept the contribution.

SECTION 2335uq. 196.487 of the statutes is created to read:

196.487 Reliability of electric service. (1) DEFINITIONS. In this section:

(a) "Public utility affiliate" has the meaning given in s. 196.795 (1) (L).

(b) "Transmission company" has the meaning given in s. 196.485 (1) (ge).

(2) COMMISSION ORDER. If the commission determines that a public utility affiliate or the transmission company is not making investments in the facilities under its control that are sufficient to ensure reliable electric service, the commission shall order the public utility affiliate or transmission company to make adequate investments in its facilities that are sufficient to ensure reliable electric service. An order under this subsection shall require the public utility affiliate or transmission company to provide security in an amount and form that, to the satisfaction of the commission, is sufficient to ensure that the public utility affiliate or transmission company expeditiously makes any investment that is ordered.

(3) COST RECOVERY. The commission shall allow a public utility affiliate that is subject to an order under sub. (2) to recover in its retail electric rates the costs that are prudently incurred in complying with the order.

SECTION 2335wb. 196.491 (3) (d) 3r. of the statutes is created to read:

196.491 **(3)** (d) 3r. For a high–voltage transmission line that is proposed to increase the transmission import capability into this state, existing rights–of–way are used to the extent practicable and the routing and design of the high–voltage transmission line minimizes environmental impacts in a manner that is consistent with achieving reasonable electric rates.

SECTION 2335wd. 196.491 (3) (d) 3t. of the statutes is created to read:

196.491 **(3)** (d) 3t. For a high–voltage transmission line that is designed for operation at a nominal voltage of 345 kilovolts or more, the high–voltage transmission line provides usage, service or increased regional reliability benefits to the wholesale and retail customers or members in this state and the benefits of the high–voltage transmission line are reasonable in relation to the cost of the high–voltage transmission line.

SECTION 2335wf. 196.491 (3) (gm) of the statutes is created to read:

196.491 **(3)** (gm) The commission may not approve an application filed after the effective date of this paragraph .... [revisor inserts date], under this section for a certificate of public convenience and necessity for a high–voltage transmission line that is designed for operation at a nominal voltage of 345 kilovolts or more unless the approval includes the condition that the applicant shall pay the fees specified in sub. (3g) (a). If the commission has approved an application under this section for a certificate of public convenience and necessity for a high–voltage transmission line that is designed for

operation at a nominal voltage of 345 kilovolts or more that was filed after April 1, 1999, and before the effective date of this paragraph .... [revisor inserts date], the commission shall require the applicant to pay the fees specified in sub. (3g) (a). For any application subject to this paragraph, the commission shall determine the cost of the high–voltage transmission line, identify the counties, towns, villages and cities through which the high–voltage transmission line is routed and allocate the amount of investment associated with the high–voltage transmission line to each such county, town, village and city.

SECTION 2335wh. 196.491 (3g) of the statutes is created to read:

196.491 **(3g)** FEES FOR CERTAIN HIGH–VOLTAGE TRANSMISSION LINES. (a) A person who receives a certificate of public convenience and necessity for a high–voltage transmission line that is designed for operation at a nominal voltage of 345 kilovolts or more under sub. (3) shall pay the department of administration an annual impact fee as specified in the rules promulgated by the department of administration under s. 16.969 (2) (a) and shall pay the department of administration a one–time environmental impact fee as specified in the rules promulgated by the department of administration under s. 16.969 (2) (b).

(b) A person that pays a fee under par. (a) may not use the payment to offset any other mitigation measure that is required in an order by the commission under sub. (3) regarding the certificate of public convenience and necessity specified in par. (a).

SECTION 2335wj. 196.491 (3m) (b) 2. of the statutes is amended to read:

196.491 **(3m)** (b) 2. The analytical process specified in subd. 1. b. shall, to the extent practicable, be consistent with the analytical process described in the merger enforcement policy ~~of the federal department of justice and the federal trade commission regarding horizontal acquisitions and mergers that are subject to 15 USC 1, 18 or 45~~, as defined in s. 196.485 (1) (dr).

SECTION 2335wL. 196.494 (3) of the statutes is amended to read:

196.494 **(3)** ~~No later than December 31, 2004, the~~ The commission ~~may~~ shall, under this subsection, issue an order requiring the transmission company, as defined in s. 196.485 (1) (ge), or an electric utility to construct or procure, on a competitive basis, the construction of transmission facilities specified by the commission in its order if the commission determines that~~, based on the results of the study under sub. (2),~~ such construction is necessary to relieve a constraint on a transmission system and the construction will materially benefit the customers of the transmission company or electric utility or other electric utilities or of an independent system operator, as defined in s. 196.485 (1) (d), or independent transmission owner, as defined in s. 196.485 (1) (dm).

SECTION 2335wn. 196.494 (5) of the statutes is created to read:

196.494 **(5)** The governor may, on behalf of this state, enter into an interstate compact that establishes a joint process for the states in the upper midwest region of the United States to determine the need for and siting of regional electric transmission facilities that may affect electric service in this state. The governor may not enter into a compact under this subsection unless the compact includes requirements and procedures for establishing each of the following:

(a) Compliance with each state's environmental and siting standards for transmission facilities.

(b) A regional need determination for transmission facilities.

(c) A mechanism for resolving conflicts between the states regarding the siting of transmission facilities.

SECTION 2335wp. 196.52 (3) (a) of the statutes is amended to read:

196.52 **(3)** (a) In this subsection, "contract or arrangement" means a contract or arrangement providing for the furnishing of management, supervisory, construction, engineering, accounting, legal, financial or similar services and any contract or arrangement for the purchase, sale, lease or exchange of any property, right, or thing, or for the furnishing of any service, property, right, or thing, other than management, supervisory, construction, engineering, accounting, legal, financial or similar services, but "contract or arrangement" does not include a contract or arrangement under which a transmission utility, as defined in s. 196.485 (1) (i), sells or transfers securities, as defined in s. 196.485 (1) (fe), that have been issued by a transmission company, as defined in s. 196.485 (1) (ge). Except as provided under par. (b), unless and until the commission gives its written approval, any contract or arrangement is not valid or effective if the contract or arrangement is made between a public utility and an affiliated interest after June 7, 1931. Every public utility shall file with the commission a verified copy of any contract or arrangement, a verified summary of any unwritten contract or arrangement, and any contract or arrangement, written or unwritten, which was in effect on June 7, 1931. The commission shall approve a contract or arrangement made or entered into after June 7, 1931, only if it shall clearly appear and be established upon investigation that it is reasonable and consistent with the public interest. The commission may not approve any contract or arrangement unless satisfactory proof is submitted to the commission of the cost to the affiliated interest of rendering the services or of furnishing the property or service to each public utility or of the cost to the public utility of rendering the services or of furnishing the property or service to each affiliated interest. No proof is satisfactory under this paragraph unless it includes the original (or verified

copies) of the relevant cost records and other relevant accounts of the affiliated interest, or an abstract of the records and accounts or a summary taken from the records and accounts if the commission deems the abstract or summary adequate. The accounts shall be properly identified and duly authenticated. The commission, where reasonable, may approve or disapprove a contract or arrangement without submission of the cost records or accounts.

SECTION 2335wr. 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 2335ya. 196.795 (1) (g) 1. of the statutes is amended to read:

196.795 **(1)** (g) 1. As a beneficial owner, to take, hold or acquire 5% or more of the outstanding voting securities of a public utility, other than a transmission company, with the unconditional power to vote those securities.

SECTION 2335yb. 196.795 (1) (g) 2. of the statutes is amended to read:

196.795 **(1)** (g) 2. To exchange or convert 50% or more of the outstanding voting securities of a public utility, other than a municipality or other political subdivision or a transmission company, for or into the voting securities of a company organized, created, appointed or formed by or at the direction of the public utility or of a subsidiary of such company.

SECTION 2335yc. 196.795 (1) (h) 3. of the statutes is created to read:

196.795 **(1)** (h) 3. "Holding company" does not include a transmission company.

SECTION 2335yd. 196.795 (1) (p) of the statutes is created to read:

196.795 **(1)** (p) "Transmission company" has the meaning given in s. 196.485 (1) (ge).

SECTION 2335ye. 196.795 (5) (i) 1. of the statutes is amended to read:

196.795 **(5)** (i) 1. Shall consider the public utility affiliate as a wholly independent corporation and shall impute a capital structure to the public utility affiliate and establish a cost of capital for the public utility affiliate on a stand–alone basis;

SECTION 2335yf. 196.795 (5) (p) 1., 2., 3. and 4. of the statutes are renumbered 196.795 (6m) (b) 1., 2., 3. and 4.

SECTION 2335yg. 196.795 (5) (pm) 1. (intro.) of the statutes is repealed.

SECTION 2335yh. 196.795 (5) (pm) 1. a. of the statutes is renumbered 196.795 (6m) (a) 3.

SECTION 2335yi. 196.795 (5) (pm) 1. b. of the statutes is renumbered 196.795 (6m) (a) 5.

SECTION 2335yj. 196.795 (5) (pm) 1. c. of the statutes is renumbered 196.795 (6m) (a) 6.

SECTION 2335yk. 196.795 (5) (pm) 2. of the statutes is renumbered 196.795 (6m) (c) and amended to read:

196.795 **(6m)** (c) *Wholesale merchant plants.* The assets of a wholesale merchant plant shall not be included in the sum of the assets of a public utility affiliate under par. ~~(p)~~ (b) 1. a., b. or c. and shall not be included in a nonutility affiliate's total assets under par. ~~(p)~~ (b) 2. a. if the requirements specified in s. 196.491 (3m) (a) 1. and 2. are satisfied or if the wholesale merchant plant qualifies for the exemption under s. 196.491 (3m) (e).

SECTION 2335yL. 196.795 (5) (pm) 3. of the statutes is renumbered 196.795 (6m) (d) and amended to read:

196.795 **(6m)** (d) *Foreign affiliates.* The assets of a foreign affiliate shall be included in the sum of the assets of a public utility affiliate under par. ~~(p)~~ (b) 1. a., b. or c. and shall not be included in a nonutility affiliate's total assets under par. ~~(p)~~ (b) 2. a.

SECTION 2335ym. 196.795 (6m) (title) of the statutes is created to read:

196.795 **(6m)** (title) ASSET CAP.

SECTION 2335yn. 196.795 (6m) (a) (intro.) of the statutes is created to read:

196.795 **(6m)** (a) *Definitions.* (intro.) In this subsection:

SECTION 2335yo. 196.795 (6m) (a) 1. of the statutes is created to read:

196.795 **(6m)** (a) 1. "Contributor public utility affiliate" means a public utility affiliate that has contributed its transmission facilities to the transmission company under s. 196.485 (5) (b).

SECTION 2335yp. 196.795 (6m) (a) 2. of the statutes is created to read:

196.795 **(6m)** (a) 2. "Eligible asset" means an asset of a nonutility affiliate that is used for any of the following:

a. Producing, generating, transmitting, delivering, selling or furnishing gas, oil, electricity or steam energy.

b. Providing an energy management, conservation or efficiency product or service or a demand–side management product or service.

c. Providing an energy customer service, including metering or billing.

d. Recovering or producing energy from waste materials.

e. Processing waste materials.

f. Manufacturing, distributing or selling products for filtration, pumping water or other fluids, processing or heating water, handling fluids or other related activities.

g. Providing a telecommunications service, as defined in s. 196.01 (9m).

h. Providing an environmental engineering service.

SECTION 2335yq. 196.795 (6m) (a) 4. of the statutes is created to read:

196.795 **(6m)** (a) 4. "Generation assets" means assets that are classified as electric generation assets on the books of account of a public utility, as determined by the commission.

SECTION 2335yr. 196.795 (6m) (b) (title) of the statutes is created to read:

196.795 **(6m)** (b) *In general.*

SECTION 2335ys. 196.795 (6m) (e) of the statutes is created to read:

196.795 **(6m)** (e) *Contributor public utility affiliates.* 1. The eligible assets of a nonutility affiliate in a holding company system that includes each of the contributor public utility affiliates in the holding company system shall not be included in the sum of the assets of the public utility affiliates under par. (b) 1. a., b. or c. and shall not be included in the nonutility affiliate's total assets under par. (b) 2. a.

2. For purposes of subd. 1., all of the assets of a nonutility affiliate shall be considered eligible assets if each of the following is satisfied:

a. The bylaws of the nonutility affiliate or a resolution adopted by its board of directors specifies that the business of the nonutility affiliate is limited to activities involving eligible assets.

b. Substantially all of the assets of the nonutility affiliate are eligible assets.

3. The net book value of transmission facility assets that a contributor public utility affiliate has contributed to a transmission company under s. 196.485 (5) (b) shall be included in the sum of the assets of the public utility affiliate under par. (b) 1. a., b. and c. In determining net book value under this subdivision, accumulated depreciation shall be calculated as if the contributor public utility affiliate had not contributed the assets.

4. The net book value of generation assets that a contributor public utility affiliate has transferred to a person that is not affiliated with the public utility affiliate pursuant to the order of the commission, a court or a federal regulatory agency shall be included in the sum of the assets of the public utility affiliate under par. (b) 1. a., b. and c. In determining net book value under this subdivision, accumulated depreciation shall be calculated as if the contributor public utility affiliate had not transferred the assets.

SECTION 2335ysm. 196.795 (7) (a) (intro.) of the statutes is amended to read:

196.795 **(7)** (a) (intro.) No sooner than the first day of the 36th month after the formation of a holding company and at least once every 3 years thereafter, the commission shall investigate the impact of the operation of every holding company system formed on or after November 28, 1985, on every public utility affiliate in the holding company system and shall determine whether each nonutility affiliate, except for the nonutility affiliates of a holding company that were affiliates of a holding company that was formed before November 28, 1985, does, or can reasonably be expected to do, at least one of the following:

SECTION 2335yt. 196.795 (11) (b) of the statutes is amended to read:

196.795 **(11)** (b) This section shall be deemed to legalize and confirm the formation, prior to November 28, 1985, of any holding company, which is not itself a public utility, and shall be deemed to legalize and confirm the operations and issuances of securities of the holding company, except that nothing in this section shall be deemed to prevent the commission from imposing reasonable terms, limitations or conditions on any holding company which are consistent with the requirements of sub. ~~(5) (pm)~~ (6m) (c) or (d) or which are consistent with and necessary to satisfy the requirements of sub. (5) (b) to (o) and (q) to (s) or which relate to future investments by the holding company unless the holding company owns, operates, manages or controls a telecommunications utility and does not also own, operate, manage or control a public utility which is not a telecommunications utility.

SECTION 2335yu. 196.795 (11) (c) of the statutes is created to read:

196.795 **(11)** (c) The commission may not impose upon a holding company the formation of which is considered to be legalized and confirmed under par. (b) any term, limitation or condition under par. (b) that establishes the sum of the holding company's nonutility affiliate assets at less than 25% of the sum of the holding company's utility affiliate assets. For purposes of this paragraph, any term, limitation or condition on nonutility affiliate assets shall not apply to the ownership, operation, management or control of any eligible asset, as defined under sub. (6m) (a) 2.

SECTION 2335yum. 196.796 of the statutes is created to read:

196.796 Real estate activities. (1) In this section:

(a) "Brownfields facility or site" means any abandoned, idle or underused industrial or commercial facility or site, the use, expansion or redevelopment of which is adversely affected by actual environmental contamination.

(b) 1. "Commercial construction" means the act of building any structure, or that part of any structure, that is not used as a home, residence or sleeping place by one or more persons maintaining a common household to the exclusion of all others.

2. "Commercial construction" does not include any of the following:

a. Any repair, maintenance, installation or construction of a structure owned or used by or for a public utility, or for a customer of a public utility, if the repair, maintenance, installation or construction is related to furnishing heat, light, water or power to the customer.

b. Any construction related to the evaluation, control or remediation of hazardous substances; solid, liquid or gaseous wastes; soils; air; or water.

c. Any construction performed in order to comply with federal, state or local environmental laws, regulations, orders or rules.

(c) "Economic development" means development that is designed to promote job growth or retention, expand the property tax base or improve the overall economic vitality of a municipality, as defined in s. 30.01 (4), or region.

(d) "Engage" means to actively participate in the daily operations or daily business decisions of an entity. "Engage" does not include taking an action necessary to protect an ownership interest in an entity.

(dg) "Entity" has the meaning given in s. 180.0103 (8).

(dr) "Financial support" includes investments, loans and grants.

(e) "Holding company system" has the meaning given in s. 196.795 (1) (i).

(f) "Improvements" means any valuable addition made to land, including excavations, gradings, foundations, structures, buildings, streets, parking lots, sidewalks, sewers, septic systems and drainage facilities. "Improvements" does not include any repair, maintenance, installation or construction of structures or facilities owned or used by or for a public utility, or by or for a customer of a public utility, if the repair, maintenance, installation or construction is related to furnishing heat, light, water or power to the customer.

(g) "Nonutility affiliate" means a subsidiary of a public utility or a company in a holding company system that is not a public utility. "Nonutility affiliate" does not include a passively held company.

(gm) "Passively held company" means an entity that satisfies each of the following:

1. Less than 50% of the ownership interest of the entity is directly or indirectly owned in any chain of successive ownership by a public utility or nonutility affiliate.

2. The entity engages in property management for a 3rd party, real estate practice, residential real estate development or residential or commercial construction.

(h) "Property management" means any activity associated with the care or maintenance of land or improvements, including business planning and budgeting, accounting, lease administration, tenant relations and retention, security, maintenance of common areas, rent collections, financial reporting, service contract administration and inspections.

(hm) "Public utility" means every corporation, company, individual or association and their lessees, trustees or receivers appointed by any court or state or federal agency, that may own, operate, manage or control all or any part of a plant or equipment, within the state, for the production, transmission, delivery or furnishing of electricity directly to or for the public, except that "public utility" does not include any municipal utility or municipal electric company, as defined in s. 66.073 (3) (d), or any cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power or water to its members only.

(i) "Real estate practice" has the meaning given in s. 452.01 (6).

(j) "Residential construction" means the act of building any structure, or that part of any structure that is used as a home, residence or sleeping place by one or more persons maintaining a common household to the exclusion of all others.

(k) "Residential real estate development" means the act of dividing or subdividing any parcel of land for residential construction or making improvements to facilitate or allow residential construction.

(L) "Third party" means any person other than a public utility or nonutility affiliate.

(2) PROHIBITED ACTIVITIES. Except as provided in sub. (4), a public utility or nonutility affiliate may not do any of the following in this state:

(a) Engage in real estate practice.

(b) Engage in residential real estate development.

(c) Engage in property management for a 3rd party.

(d) Engage in residential or commercial construction.

(3) PERMITTED ACTIVITIES. (a) Subsection (2) does not prohibit a public utility or nonutility affiliate from doing any of the following:

1. Repairing, maintaining, installing or constructing a structure that is owned or used by or for a public utility or nonutility affiliate, or for a customer of a public utility if the repair, maintenance, installation or construction is related to furnishing heat, light, water or power to the customer.

2. Engaging in construction that is specifically related to the evaluation, control or remediation of hazardous substances; solid, liquid or gaseous wastes; soils; air; or water.

3. Engaging in construction that is performed in order to comply with federal, state or local environmental laws, regulations, orders or rules.

4. Consulting or making other financial or business arrangements with one or more 3rd parties who will engage in commercial construction.

5. Consulting or making other financial or business arrangements with one or more 3rd parties who will

engage in residential construction or residential real estate development, except that if a public utility or nonutility affiliate contracts for the development of more than one residential construction project or residential real estate development, the public utility or nonutility affiliate may not enter into an exclusive arrangement with a 3rd party for all such residential construction or residential real estate development.

6. Acquiring or disposing of property or interests in property if the acquisition or disposition is related to the operation of a public utility and the acquisition or disposition satisfies one of the following:

a. The acquisition or disposition is conducted under a contract with a 3rd party that is engaged in real estate practice.

b. The acquisition or disposition is conducted by an individual engaged in real estate practice or employed by a public utility.

7. Owning a passively held company.

(b) Subsection (2) does not prohibit a public utility that is not subject to the requirements of s. 196.795, or the nonutility subsidiary of such a public utility, from doing any of the following:

1. Engaging in commercial or residential real estate development or construction on property owned or acquired by the public utility or nonutility subsidiary for a public utility purpose if the total annual revenues from the development or construction do not exceed 3% of the total operating revenues of the public utility in any year.

2. Providing financial support for the purpose of economic development to 3rd parties that are engaged in an activity specified in sub. (2) (a) to (d). The public utility or nonutility subsidiary may profit directly from that activity only through receipt of profits that are incidental to the economic development project or interest earned on a loan.

(4) EXCEPTIONS. (a) A nonutility affiliate that has engaged in residential construction prior to, or is engaged in residential construction on, the effective date of this paragraph .... [revisor inserts date], may directly or indirectly own in any chain of successive ownership 50% or more of the ownership interest of an entity that hires a 3rd party to engage in residential construction or commercial construction that is incidental to residential construction, except that the nonutility affiliate may not actively participate in the daily operations or daily business decisions of the entity.

(b) A public utility or nonutility affiliate may engage in residential real estate development at a brownfields facility or site.

(5) PRIVATE CAUSE OF ACTION. Any public utility or nonutility affiliate that does, causes or permits to be done any action prohibited under this section or fails to comply with any requirement specified in this section is liable to any person injured thereby in the amount of damages sustained in consequence of the prohibited action or failure to comply.

SECTION 2335z. 196.807 of the statutes is created to read:

196.807 Energy affiliate and utility employes. (1) DEFINITIONS. In this section:

(a) "Affiliate or utility" means a nonutility affiliate, holding company system, public utility or cooperative association organized under ch. 185.

(b) "Energy unit" means a unit in this state that is engaged in activities related to the production, generation, transmission or distribution of electricity, gas or steam or the recovery of energy from waste materials.

(c) "Holding company system" has the meaning given in s. 196.795 (1) (i).

(d) "Nonutility affiliate" has the meaning given in s. 196.795 (1) (j).

(e) "Public utility affiliate" has the meaning given in s. 196.795 (1) (L).

(f) "Sell an energy unit" means to sell, offer by lease, or otherwise transfer ownership or control of the energy unit.

(fg) "Transmission company" has the meaning given in s. 196.485 (1) (ge).

(fr) "Transmission utility" has the meaning given in s. 196.485 (1) (i).

(g) "Unit" means a division, department or other operational business unit of an affiliate or utility.

(2) OFFER OF EMPLOYMENT. (a) Except as provided in par. (b), a person may not sell an energy unit unless the terms of the transfer require the person to which the energy unit is transferred to offer employment to the nonsupervisory employes who are employed with the energy unit immediately prior to the transfer and who are necessary for the operation and maintenance of the energy unit.

(b) 1. A public utility affiliate may not sell an energy unit to a nonutility affiliate in the same holding company system unless the terms of the transfer require the nonutility affiliate to offer employment to all of the nonsupervisory employes who are employed with the energy unit immediately prior to the transfer.

2. A transmission company to which an energy unit is sold by a transmission utility shall, beginning on the expiration of the 3–year period specified in s. 196.485 (3m) (a) 1. b. or, if applicable, the expiration of any extension of such 3–year period, offer employment to the nonsupervisory employes who are employed with the energy unit immediately prior to the transfer and who are necessary for the operation and maintenance of the energy unit.

(3) EMPLOYMENT TERMS AND CONDITIONS. (a) Except as provided in par. (b), the employment that is offered under sub. (2) shall satisfy each of the following during the 30–month period beginning immediately after the transfer:

1. Wage rates shall be no less than the wage rates in effect immediately prior to the transfer.

2. Fringe benefits shall be substantially equivalent to the fringe benefits in effect immediately prior to the transfer.

3. Terms and conditions of employment, other than wage rates and fringe benefits, shall be substantially equivalent to the terms and conditions in effect immediately prior to the transfer.

(b) A collective bargaining agreement may modify or waive a requirement specified in par. (a).

(4) COMMISSION APPROVAL. Except for a cooperative association, as defined in s. 196.491 (1) (bm), or a transmission utility that sells an energy unit to a transmission company, no person may sell an energy unit unless the commission determines that the person has satisfied subs. (2) and (3).

Vetoed In Part

SECTION 2336gm. 196.85 (2m) of the statutes is amended to read:

196.85 **(2m)** Annually, the commission shall assess telecommunications utilities for the cost of one attorney position in the department of justice to provide services relating to telecommunications matters and for the cost of supplies, services and equipment related to that position. The amounts received under this subsection shall be credited to the appropriation under s. 20.455 (1) (kt). This subsection does not apply after June 30, ~~1999~~ 2001.

SECTION 2336gq. 196.856 of the statutes is created to read:

196.856 Assessment for stray voltage research. (1) In this section, "electric cooperative" means a cooperative association organized under ch. 185 for the purpose of generating, distributing or furnishing electric energy at retail or wholesale to its members only.

(2) The commission shall assess annually 91% of the amount appropriated under s. 20.155 (1) (jm) to public utilities that produce electricity in proportion to their respective electric gross operating revenues during the last calendar year, derived from intrastate operations. The commission shall assess annually 9% of the amount appropriated under s. 20.155 (1) (jm) to electric cooperatives in proportion to their gross operating revenues during the last calendar year, derived from intrastate operations. The amounts received under this section shall be credited to the appropriation account under s. 20.155 (1) (jm). A public utility or electric cooperative shall pay the total amount that it is assessed under this subsection within 30 days after it receives a bill for that amount from the commission. The bill constitutes notice of the assessment and demand of payment.

SECTION 2336mt. 196.86 of the statutes is created to read:

196.86 Assessments for air quality improvement program. (1) In this section:

(a) "Department" means the department of natural resources.

(b) "Electric public utility affiliate" means a public utility affiliate, as defined in s. 196.795 (1) (L), that sells electricity in this state.

(c) "Heat throughput ratio" means the result obtained by dividing the total heat throughput of all electric generating facilities that use fossil fuel of an individual electric public utility affiliate by the total heat throughput of all electric generating facilities that use fossil fuel of all electric public utility affiliates.

(d) "Initial compliance date" means the date specified in a notice by the department of natural resources under s. 285.48 (2) by which electric generating facilities in the midcontinent area of this state are required to comply with initial nitrogen oxide emission reduction requirements.

(e) "Midcontinent area" has the meaning given in s. 16.958 (1) (e).

(2) If the department of natural resources makes a notification to the commission under s. 285.48 (2), the commission shall assess against electric public utility affiliates a total of $2,400,000, or a decreased amount specified in a notice by the department of natural resources under s. 285.48 (3) (d) 3., in each fiscal year of the 10–year period that commences on July 1 of the fiscal year ending before the initial compliance date. An assessment in a fiscal year against an electric public utility affiliate under this subsection shall be in amount that is proportionate to the electric public utility affiliate's heat throughput ratio for the prior fiscal year.

(3) An electric public utility affiliate shall pay an assessment required under sub. (2) within 30 days after the commission has mailed a bill for the assessment. The bill constitutes notice of the assessment and demand of payment. Payments shall be deposited in the air quality improvement fund.

(4) Section 196.85 (3) to (8), as it applies to assessments under s. 196.85 (1) or (2), applies to assessments under this section.

SECTION 2336u. 200.01 (2) of the statutes is amended to read:

200.01 **(2)** "Public service corporation" means and embraces every corporation, except municipalities and other political subdivisions, which is a public utility as defined in s. 196.01, and every corporation which is a railroad as defined in s. 195.02, but shall not include a public utility corporation receiving an annual gross revenue of less than $1,000 for the calendar year next preceding the issuance of any securities by it. "Public service corporation" includes a holding company, as defined under s. 196.795 (1) (h), which is a public utility, as defined under s. 196.01 (5). "Public service corporation" does not include a telecommunications utility, as defined in s. 196.01 (10). "Public service corporation" does not include any other holding company unless the holding company was formed after November 28, 1985, and unless the commission has determined, under s. 196.795

(7) (a), that each nonutility affiliate, as defined under s. 196.795 (1) (j), does not and cannot reasonably be expected to do at least one of the items specified in s. 196.795 (7) (a). "Public service corporation" does not include a company, as defined in s. 196.795 (1) (f), which owns, operates, manages or controls a telecommunications utility, as defined in s. 196.01 (10), unless such company also owns, operates, manages or controls a public utility which is not a telecommunications utility. "Public service corporation" does not include a transmission company, as defined in s. 196.485 (1) (ge).

SECTION 2337a. 214.01 (1) (im) of the statutes is amended to read:

214.01 **(1)** (im) "Division" means the division of savings ~~and loan~~ institutions.

SECTION 2338a. 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 2339a. 215.01 (6) of the statutes is amended to read:

215.01 **(6)** "Division" means the division of savings ~~and loan~~ institutions.

SECTION 2340a. 215.02 (title) of the statutes is amended to read:

215.02 (title) **Division of savings ~~and loan~~ institutions.**

SECTION 2341a. 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 2341b. 217.05 (1m) (a) (intro.) of the statutes is amended to read:

217.05 **(1m)** (a) (intro.) In addition to the information required under sub. (1) and except as provided in par. (c), the application shall contain the following:

SECTION 2341d. 217.05 (1m) (c) of the statutes is created to read:

217.05 **(1m)** (c) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Notwithstanding s. 217.09 (7), any license issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1 is invalid.

SECTION 2341f. 217.06 (4) of the statutes is amended to read:

217.06 **(4)** The applicant has provided ~~the~~ all information required under s. 217.05 (1m) (a).

SECTION 2341h. 218.01 (2) (ie) 1. of the statutes is amended to read:

218.01 **(2)** (ie) 1. In addition to any other information required under this subsection and except as provided in subd. 3., an application by an individual for the issuance or renewal of a license described in par. (d) shall include the individual's social security number and an application by a person who is not an individual for the issuance or renewal of a license described in par. (d) 1., 2., 3. or 5. shall include the person's federal employer identification number. The licensor may not disclose any information received under this subdivision to any person except the department of industry, labor and job development [department of workforce development] for purposes of administering s. 49.22 or the department of revenue for

the sole purpose of requesting certifications under s. 73.0301.

SECTION 2341j. 218.01 (2) (ie) 3. of the statutes is created to read:

218.01 **(2)** (ie) 3. If an applicant for the issuance or renewal of a license described in par. (d) is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the license, shall submit a statement made or subscribed under oath or affirmation to the licensor that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2341L. 218.01 (2) (ig) 1. (intro.) of the statutes is amended to read:

218.01 **(2)** (ig) 1. (intro.) In addition to any other information required under this subsection and except as provided in subd. 3., an application for a license described in par. (dr) shall include the following:

SECTION 2341n. 218.01 (2) (ig) 3. of the statutes is created to read:

218.01 **(2)** (ig) 3. If an applicant for the issuance or renewal of a license described in par. (dr) is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the license, shall submit a statement made or subscribed under oath or affirmation to the licensor that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342abc. 218.01 (2) (L) of the statutes is created to read:

218.01 **(2)** (L) 1. Words and phrases defined in sub. (2c) (am) have the same meaning in this paragraph.

2. The department may not issue a dealer license under this section, unless the department has determined that no factory will hold an ownership interest in or operate or control the dealership or that one of the exceptions under sub. (2c) (cm) applies.

3. If the applicant asserts that sub. (2c) (cm) 2. applies, the department shall require the applicant to provide a copy of the written agreement described in sub. (2c) (cm) 2. d. for examination by the department to ensure that the agreement meets the requirements of sub. (2c) (cm) 2.

4. If the division of hearings and appeals determines, after a hearing on the matter at the request of the department or any licensee, that a factory holds an ownership interest in a dealership or operates or controls a dealership in violation of sub. (2c), the division shall order the denial or revocation of the dealership's license.

SECTION 2342abf. 218.01 (2c) (intro.) of the statutes is renumbered 218.01 (2c) (bm) and amended to read:

218.01 **(2c)** (bm) A ~~manufacturer, importer or distributor, or a subsidiary thereof,~~ factory shall not ~~own~~, directly or indirectly, hold an ownership interest in or operate or control a motor vehicle dealership in this state.

(cm) This subsection does not prohibit any of the following:

SECTION 2342abi. 218.01 (2c) (a) of the statutes is renumbered 218.01 (2c) (cm) 1. and amended to read:

218.01 **(2c)** (cm) 1. ~~The ownership and operation by a manufacturer, importer or distributor, or a subsidiary thereof, of~~ A factory from holding an ownership interest in or operating a dealership for a temporary period, not to exceed one year, during the transition from one owner or dealer operator to another.

SECTION 2342abL. 218.01 (2c) (am) of the statutes is created to read:

218.01 **(2c)** (am) In this subsection:

1. "Agent" means a person who is employed by or affiliated with a factory or who directly or through an intermediary is controlled by or under common control of a factory.

2. "Control" means the possession, direct or indirect, of the power to direct or cause the direction of the management or policies of a person, whether through the ownership of voting securities, by contract or otherwise. "Control" does not include the relationship between a factory and a dealership under a basic agreement filed under sub. (2) (bd) 1.

3. "Dealer operator" means an individual who is vested with the power and authority to operate a dealership.

4. "Dealership" means a person licensed or required to be licensed as a motor vehicle dealer under this section.

4m. "Department" means the department of transportation.

5. "Factory" means a manufacturer, distributor or importer, or an agent of a manufacturer, distributor or importer.

6. "Operate" means to directly or indirectly manage a dealership.

7. "Ownership interest" means the beneficial ownership of one percent or more of any class of equity interest in a dealership, whether the interest is that of a shareholder, partner, limited liability company member or otherwise. To "hold" an ownership interest means to have possession of, title to or control of the ownership interest, whether directly or indirectly through a fiduciary or an agent.

SECTION 2342abo. 218.01 (2c) (b) of the statutes is repealed.

SECTION 2342abr. 218.01 (2c) (c) of the statutes is renumbered 218.01 (2c) (cm) 3. and amended to read:

218.01 **(2c)** (cm) 3. The ownership, operation or control of a dealership by a ~~manufacturer, importer or distributor, or subsidiary thereof, which~~ factory that does not meet the conditions under ~~par. (a) or (b)~~ subds. 1. or 2., if the division of hearings and appeals determines, after a hearing on the matter at the request of any party, that there is no prospective independent dealer available to own and operate the dealership in a manner consistent with the public interest and that meets the reasonable standard and uniformly applied qualifications of the ~~manufacturer, importer or distributor~~ factory.

SECTION 2342abu. 218.01 (2c) (cm) 2. of the statutes is created to read:

218.01 **(2c)** (cm) 2. A factory from holding an ownership interest in a dealership, if all of the following apply:

a. The dealer operator of the dealership is an individual who is not an agent of the factory.

b. The dealer operator of the dealership is unable to acquire full ownership of the dealership with his or her own assets or in conjunction with financial investments and loans from investors or lenders other than the factory holding an ownership interest in the dealership.

c. The dealer operator of the dealership holds not less than 15 percent of the total ownership interests in the dealership within one year from the date that the factory initially acquires any ownership interest in the dealership.

d. There is a bona fide written agreement in effect between the factory and the dealer operator of the dealership under which the dealer operator will acquire all of the ownership interest in the dealership held by the factory on reasonable terms specified in the agreement.

f. The written agreement described in subd. 2. d. provides that the dealer operator will make reasonable progress toward acquiring all of the ownership interest in the dealership, and the dealer is making reasonable progress toward acquiring all of the ownership interest in the dealership.

g. Not more than eight years have elapsed since the factory initially acquired its ownership interest in the dealership, unless the department, upon petition by the dealer operator, determines that there is good cause to allow the dealer operator a longer period to complete his or her acquisition of all of the ownership interest in the dealership held by the factory and the longer period determined by the department has not yet elapsed.

SECTION 2342abv. 218.01 (2c) (cm) 4. of the statutes is created to read:

218.01 **(2c)** (cm) 4. The holding or acquisition, solely for investment purposes, of an ownership interest in a publicly traded corporation by an employe benefit plan that is sponsored by a factory.

Vetoed In Part

SECTION 2342abw. 218.01 (2c) (cm) 5. of the statutes is created to read:

218.01 **(2c)** (cm) 5. A factory from holding an ownership interest in a dealership trading solely in any line make of new motor vehicles weighing less than 8,500 pounds gross vehicle weight, if all of the following apply:

Vetoed In Part

a. No more than 10 locations for the line make are licensed and in operation in the state on or after January 1, 1999.

Vetoed In Part

b. At the time the factory first acquires an ownership interest in the dealership, the distance between the dealership and the nearest nonaffiliated new motor vehicle dealership trading in the same line make of motor vehicles is no less than 35 miles.

c. The factory does not own, directly or indirectly, in aggregate, in excess of a 45% interest in the dealership.

d. The factory provides written assurance to the department that on all matters pertaining to the operation of the dealership, the dealership has the same degree of independence from the factory as have all other dealerships of the same line make, including the right to seek legally enforceable redress against the manufacturer in any dispute arising under the franchise agreement.

e. All franchise agreements for the line make of new motor vehicles include provisions for actively sharing responsibility between the factory and representatives of the dealers of the line make for decision–making on matters within the scope of the agreement that significantly affect the retail automotive business including prior approval of any performance standards binding on dealers, prior and ongoing review of the allocation system the factory uses for distributing new motor vehicles covered by the franchise agreement, prior approval of any proposed supplements to the franchise agreement applicable to dealerships in which the factory owns a partial interest and approval of any superseding franchise agreement before the agreement is offered to dealers of the line make.

SECTION 2342ap. 218.01 (3) (am) 1. a. of the statutes is amended to read:

218.01 **(3)** (am) 1. a. The applicant fails to provide ~~the~~ any information required under sub. (2) (ig) 1.

SECTION 2342avm. 218.01 (3x) (c) 1. g. of the statutes is created to read:

218.01 **(3x)** (c) 1. g. Whether the dealer and affected grantor have previously agreed upon a specific action that is inconsistent with the proposed action and, if so, whether there has been a change in circumstances sufficient to justify the proposed action.

SECTION 2342abw. 218.01 (3x) (d) 1. of the statutes is repealed.

SECTION 2342b. 218.02 (2) (a) 1. (intro.) of the statutes is amended to read:

218.02 **(2)** (a) 1. (intro.) Each adjustment service company shall apply to the division for a license to engage in such business. Application for a separate license for each office of a company to be operated under this section shall be made to the division in writing, under oath, in a form to be prescribed by the division. The division may issue more than one license to the same

licensee. ~~An~~ Except as provided in subd. 3., an application for a license under this section shall include the following:

SECTION 2342bb. 218.02 (2) (a) 3. of the statutes is created to read:

218.02 **(2)** (a) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342bd. 218.04 (3) (a) 1. (intro.) of the statutes is amended to read:

218.04 **(3)** (a) 1. (intro.) Application for licenses under the provisions of this section shall be made to the division in writing, under oath, on a form to be prescribed by the division. All licenses shall expire on June 30 next following their date of issue. ~~An~~ Except as provided in subd. 3., an application for a license under this section shall include the following:

SECTION 2342bf. 218.04 (3) (a) 3. of the statutes is created to read:

218.04 **(3)** (a) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342bh. 218.04 (4) (am) 1. of the statutes is amended to read:

218.04 **(4)** (am) 1. The applicant fails to provide ~~the~~ any information required under sub. (3) (a) 1.

SECTION 2342bj. 218.05 (3) (am) 1. (intro.) of the statutes is amended to read:

218.05 **(3)** (am) 1. (intro.) In addition to the information required under par. (a) and except as provided in subd. 3., an application for a license under this section shall include the following:

SECTION 2342bL. 218.05 (3) (am) 3. of the statutes is created to read:

218.05 **(3)** (am) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342bn. 218.05 (4) (c) 1. of the statutes is amended to read:

218.05 **(4)** (c) 1. The applicant fails to provide ~~the~~ any information required under sub. (3) (am) 1.

SECTION 2342bp. 218.05 (11) (a) of the statutes is amended to read:

218.05 **(11)** (a) The renewal applicant fails to provide ~~the~~ any information required under sub. (3) (am) 1.

SECTION 2342cc. Subchapter VI (title) of chapter 218 [precedes 218.10] of the statutes is amended to read:

CHAPTER 218

SUBCHAPTER VI

~~MOBILE HOME~~ RECREATIONAL VEHICLE DEALERS

SECTION 2342cg. 218.10 (1) of the statutes is repealed.

SECTION 2342cL. 218.10 (1m) of the statutes is created to read:

218.10 **(1m)** "Department" means the department of transportation, unless the context requires otherwise.

SECTION 2342cp. 218.10 (1t) of the statutes is repealed.

SECTION 2342ct. 218.10 (2) of the statutes is repealed.

SECTION 2342cx. 218.10 (3) of the statutes is renumbered 218.10 (1g), and 218.10 (1g) (intro.) and (e), as renumbered, are amended to read:

218.10 **(1g)** (intro.) ~~"Mobile home dealer"~~ "Dealer", unless the context requires otherwise, means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in ~~mobile homes~~ a recreational vehicle or who is engaged wholly or in part in the business of selling ~~mobile homes~~ recreational vehicles, whether or not the ~~mobile homes~~ recreational vehicles are owned by the person, but does not include:

(e) A person transferring a ~~mobile home~~ recreational vehicle registered in that person's name and used for that person's personal, family or household purposes, if the transfer is an occasional sale and is not part of the business of the transferor.

SECTION 2342gc. 218.10 (4) of the statutes is renumbered 218.10 (1x) and amended to read:

218.10 **(1x)** ~~"Mobile home manufacturer"~~ "Manufacturer" means any person within or without this state who manufactures or assembles ~~mobile homes~~ recreational vehicles for sale in this state.

SECTION 2342gg. 218.10 (5) of the statutes is repealed.

SECTION 2342gi. 218.10 (6) of the statutes is renumbered 218.10 (8t) and amended to read:

218.10 **(8t)** ~~"Mobile home salesperson"~~ "Salesperson", unless the context requires otherwise, means any person who is employed by a ~~mobile home~~ manufacturer

or dealer to sell or lease ~~mobile homes~~ recreational vehicles.

SECTION 2342gL. 218.10 (7) of the statutes is amended to read:

218.10 **(7)** "New ~~mobile home~~ recreational vehicle" means a ~~mobile home~~ recreational vehicle which has never been occupied, used or sold for personal or business use.

SECTION 2342gp. 218.10 (8) of the statutes is repealed.

SECTION 2342gt. 218.10 (8m) of the statutes is amended to read:

218.10 **(8m)** "Recreational vehicle" means a mobile home, as defined in s. 340.01 (29), that does not exceed the statutory size under s. 348.07 (2).

SECTION 2342gx. 218.10 (9) of the statutes is amended to read:

218.10 **(9)** "Used ~~mobile home~~ recreational vehicle" means a ~~mobile home~~ recreational vehicle which has previously been occupied, used or sold for personal or business use.

SECTION 2342Lc. 218.101 of the statutes is repealed.

SECTION 2342Lg. 218.11 (title) of the statutes is amended to read:

218.11 (title) **~~Mobile home~~ Recreational vehicle dealers regulated.**

SECTION 2342LL. 218.11 (1) of the statutes is amended to read:

218.11 **(1)** No person may engage in the business of selling ~~mobile homes to the ultimate~~ recreational vehicles to a consumer or to the retail market in this state unless first licensed to do so by the ~~licensor as herein provided~~ department.

SECTION 2342Lg. 218.11 (2) (am) 1. of the statutes is amended to read:

218.11 **(2)** (am) 1. In addition to any other information required under par. (a) and except as provided in subd. 4., an application by an individual for the issuance or renewal of a license under this section shall include the individual's social security number and, if the application is made by a person who is not an individual for the issuance or renewal of a license under this section shall include the person's federal employer identification number.

SECTION 2342Lj. 218.11 (2) (am) 2. of the statutes is amended to read:

218.11 **(2)** (am) 2. The ~~licensor~~ department shall deny an application for the issuance or renewal of a license if the information required under subd. 1. is not included in the application.

SECTION 2342Lk. 218.11 (2) (am) 3. of the statutes is amended to read:

218.11 **(2)** (am) 3. The ~~licensor~~ department of commerce may not disclose any information received under subd. 1. to any person except to the department of ~~industry, labor and job development~~ workforce development for purposes of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2342Ln. 218.11 (2) (am) 4. of the statutes is created to read:

218.11 **(2)** (am) 4. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the licensor that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342Lo. 218.11 (2) (am) 4. of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

218.11 **(2)** (am) 4. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the ~~licensor~~ department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342Lp. 218.11 (2) (b) and (d) of the statutes are amended to read:

218.11 **(2)** (b) 1. The ~~licensor~~ department shall promulgate rules establishing the license period under this section.

2. The ~~licensor~~ department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the ~~licensor~~ department issues a license under this section during the license period, the fee for the license shall equal $50 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

SECTION 2342Lt. 218.11 (3) of the statutes is amended to read:

218.11 **(3)** A license shall be issued only to persons whose character, fitness and financial ability, in the opinion of the ~~licensor~~ department, is such as to justify the belief that they can and will deal with and serve the buying public fairly and honestly, will maintain a permanent office and place of business and an adequate service and parts department during the license year, and will abide by all the provisions of law and lawful orders of the ~~licensor~~ department.

SECTION 2342Lx. 218.11 (6) (intro.) and (d) of the statutes are amended to read:

218.11 **(6)** (intro.) The ~~licensor~~ department may deny, suspend or revoke a license on the following grounds:

(d) Wilful failure to comply with any provision of this section or any rule promulgated by the ~~licensor~~ department under this section.

SECTION 2342pc. 218.11 (6) (n) of the statutes is amended to read:

218.11 **(6)** (n) Having violated any law relating to the sale, distribution or financing of ~~mobile homes~~ recreational vehicles.

SECTION 2342pg. 218.11 (7) of the statutes is amended to read:

218.11 **(7)** (a) The ~~licensor~~ department may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. Within 30 days after such notice, the applicant may petition the ~~department of administration~~ division of hearings and appeals, as defined in s. 218.01 (1) (gm), to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. ~~If the licensor is the department of transportation, the division of hearings and appeals shall conduct the hearing.~~ This paragraph does not apply to denials of applications for licenses under sub. (6m).

(b) No license may be suspended or revoked except after a hearing thereon. The ~~licensor~~ department shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the ~~licensor~~ department, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations ~~brought before the licensor~~ shall be heard and decided upon by the ~~department of administration. If the licensor is the department of transportation, the~~ division of hearings and appeals ~~shall conduct the hearing~~. This paragraph does not apply to licenses that are suspended under sub. (6m).

(c) The ~~licensor~~ department may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the ~~licensor,~~ department and the ~~licensor~~ department may maintain an action for the recovery of such costs in any court of competent jurisdiction.

SECTION 2342pL. 218.12 (title) of the statutes is amended to read:

218.12 (title) ~~**Mobile home dealer**~~ **Recreational vehicle salespersons regulated.**

SECTION 2342pp. 218.12 (1) of the statutes is amended to read:

218.12 **(1)** No person may engage in the business of selling ~~mobile homes to the ultimate~~ recreational vehicles to a consumer or to the retail market in this state without a license therefor from the ~~licensor~~ department. If a ~~mobile home~~ dealer acts as a ~~mobile home~~ salesperson the dealer shall secure a ~~mobile home~~ salesperson's license in addition to the license for engaging as a ~~mobile home~~ dealer.

SECTION 2342pr. 218.12 (2) (a) of the statutes is amended to read:

218.12 **(2)** (a) Applications for mobile home salesperson's license and renewals thereof shall be made to the licensor on such forms as the licensor prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d). ~~The~~ Except as provided in par. (am) 3., the application shall include the applicant's social security number. In addition, the application shall require such pertinent information as the licensor requires.

SECTION 2342ps. 218.12 (2) (a) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

218.12 **(2)** (a) Applications for ~~mobile home~~ a salesperson's license and renewals thereof shall be made to the ~~licensor~~ department on such forms as the ~~licensor~~ department prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d). Except as provided in par. (am) 3., the application shall include the applicant's social security number. In addition, the application shall require such pertinent information as the ~~licensor~~ department requires.

SECTION 2342pt. 218.12 (2) (am) 1. of the statutes is amended to read:

218.12 **(2)** (am) 1. ~~The~~ Except as provided in subd. 3., the licensor shall deny an application for the issuance or renewal of a license if an individual has not included his or her social security number in the application.

SECTION 2342pu. 218.12 (2) (am) 1. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

218.12 **(2)** (am) 1. Except as provided in subd. 3., the ~~licensor~~ department shall deny an application for the issuance or renewal of a license if an individual has not included his or her social security number in the application.

SECTION 2342pum. 218.12 (2) (am) 2. of the statutes is amended to read:

218.12 **(2)** (am) 2. The ~~licensor~~ department of commerce may not disclose a social security number obtained under par. (a) to any person except to the department of workforce development for the sole purpose of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 2342pv. 218.12 (2) (am) 3. of the statutes is created to read:

218.12 **(2)** (am) 3. If an applicant does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the licensor that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342pw. 218.12 (2) (am) 3. of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

218.12 **(2)** (am) 3. If an applicant does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the ~~licensor~~ department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342px. 218.12 (2) (b) and (d) of the statutes are amended to read:

218.12 **(2)** (b) 1. The ~~licensor~~ department shall promulgate rules establishing the license period under this section.

2. The ~~licensor~~ department may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the ~~licensor~~ department issues a license under this section during the license period, the fee for the license shall equal $4 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

SECTION 2342tc. 218.12 (3) of the statutes is amended to read:

218.12 **(3)** Every licensee shall carry his or her license when engaged in his or her business and display the same upon request. The license shall name his or her employer, and in case of a change of employer, the salesperson shall immediately mail his or her license to the ~~licensor who~~ department, which shall endorse such change on the license without charge.

SECTION 2342tg. 218.12 (5) of the statutes is amended to read:

218.12 **(5)** The provision of s. 218.01 (3) relating to the denial, suspension and revocation of a motor vehicle salesperson's license shall apply to the denial, suspension and revocation of a ~~mobile home~~ salesperson's license so far as applicable, except that such provision does not apply to the denial, suspension or revocation of a license under sub. (3m).

SECTION 2342tL. 218.12 (6) of the statutes is amended to read:

218.12 **(6)** The provisions of s. 218.01 (3) (g) and (5) shall apply to this section, ~~mobile home~~ recreational vehicle sales practices and the regulation of ~~travel trailer or mobile home~~ recreational vehicle salespersons, as far as applicable.

SECTION 2342tp. 218.14 of the statutes is repealed.

SECTION 2342tt. 218.15 of the statutes is amended to read:

218.15 (title) **Sale or lease of used ~~primary housing units~~ recreational vehicles.** In the sale or lease of any used ~~primary housing unit~~ recreational vehicle, the sales invoice or lease agreement shall contain the point of manufacture of the used ~~primary housing unit~~ recreational vehicle, the name of the manufacturer and the name and address of the previous owner.

SECTION 2342tx. 218.16 of the statutes is repealed.

SECTION 2342xc. 218.165 of the statutes is repealed.

SECTION 2342xg. 218.17 (1) of the statutes is repealed.

SECTION 2342xL. 218.17 (2) of the statutes is amended to read:

218.17 **(2)** In any court action brought by the ~~licensor~~ department for violations of this subchapter, the ~~licensor~~ department may recover all costs of testing and investigation, in addition to costs otherwise recoverable, if it prevails in the action.

SECTION 2342xp. 218.17 (3) of the statutes is amended to read:

218.17 **(3)** Nothing in this subchapter prohibits ~~the~~ an aggrieved customer from bringing ~~of~~ a civil action against a ~~mobile home manufacturer,~~ dealer or salesperson ~~by an aggrieved customer~~. If judgment is rendered for the customer based on an act or omission by the ~~manufacturer,~~ dealer or salesperson, which constituted a violation of this subchapter, the plaintiff shall recover actual and proper attorney fees in addition to costs otherwise recoverable.

SECTION 2342xs. 218.21 (2) (intro.) of the statutes is amended to read:

218.21 **(2)** (intro.) Application for a motor vehicle salvage dealer's license shall be made upon the form prescribed by the department and, except as provided in sub. (2f), shall contain:

SECTION 2342xu. 218.21 (2f) of the statutes is created to read:

218.21 **(2f)** (a) If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a motor vehicle salvage dealer's license, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

(b) Any motor vehicle salvage dealer's license issued or renewed in reliance upon a false statement submitted by an applicant under par. (a) is invalid.

SECTION 2342xw. 218.21 (2m) (a) of the statutes is amended to read:

218.21 **(2m)** (a) The department shall deny an application for the issuance or renewal of a license if ~~the~~ any information required under sub. (2) (ag) or (am) is not included in the application.

SECTION 2342xy. 218.31 (1) (intro.) of the statutes is amended to read:

218.31 **(1)** (intro.) Application for a motor vehicle auction dealer's license shall be made upon the form prescribed by the department and, except as provided in sub. (1f), shall contain:

SECTION 2342yc. 218.31 (1f) of the statutes is created to read:

218.31 **(1f)** (a) If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a motor vehicle auction dealer's license, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

(b) Any motor vehicle auction dealer's license issued or renewed in reliance upon a false statement submitted by an applicant under par. (a) is invalid.

SECTION 2342ye. 218.31 (1m) (a) of the statutes is amended to read:

218.31 **(1m)** (a) The department shall deny an application for the issuance or renewal of a license if ~~the~~ any information required under sub. (1) (ag) or (am) is not included in the application.

SECTION 2342yg. 218.41 (2) (am) 1. (intro.) of the statutes is amended to read:

218.41 **(2)** (am) 1. (intro.) In addition to any other information required under this subsection and except as provided in subd. 3., an application for a license under this section shall include the following:

SECTION 2342yi. 218.41 (2) (am) 3. of the statutes is created to read:

218.41 **(2)** (am) 3. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license under this section, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any license issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342yk. 218.41 (3m) (b) 1. of the statutes is amended to read:

218.41 **(3m)** (b) 1. A license shall be denied if the applicant fails to provide ~~the~~ any information required under sub. (2) (am) 1. ~~a. or b.~~

SECTION 2342yL. 218.51 (3) (am) 1. (intro.) of the statutes is amended to read:

218.51 **(3)** (am) 1. (intro.) In addition to any other information required under par. (a) and except as provided in subd. 3., an application for a buyer identification card shall include the following:

SECTION 2342ym. 218.51 (3) (am) 3. of the statutes is created to read:

218.51 **(3)** (am) 3. If an applicant for the issuance or renewal of a buyer identification card is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the buyer identification card, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. Any buyer identification card issued or renewed in reliance upon a false statement submitted by an applicant under this subdivision is invalid.

SECTION 2342yp. 218.51 (4m) (b) 1. of the statutes is amended to read:

218.51 **(4m)** (b) 1. A buyer identification card shall be denied if the applicant fails to provide ~~the~~ any information required under sub. (3) (am) 1. ~~a. or b.~~

SECTION 2343d. 220.06 (1) of the statutes is amended to read:

220.06 **(1)** In this section, "licensee" means a person licensed by the division under ch. 138, 217 or 218 or under s. 224.92.

SECTION 2344a. 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 2345a. 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 2347a. 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~~ institutions 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 2348a. 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 2349a. 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 2350a. 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)** COMPUTER DATABASES, NETWORKS AND SYSTEMS; ACCESS AND USE FEES. The department may by rule establish fees to be paid by members of the public for accessing or using the department's computer databases, computer networks or computer systems. Every fee established under this paragraph shall be based upon the reasonable cost of the service provided by the department, together with a reasonable share of the costs of developing and maintaining the department's computer databases, computer networks and computer systems. **Vetoed In Part**

SECTION 2353c. 224.72 (2) (c) 1. (intro.) of the statutes is amended to read:

224.72 **(2)** (c) 1. (intro.) ~~An~~ Except as provided in par. (d), an application shall include the following:

SECTION 2353e. 224.72 (2) (d) of the statutes is created to read:

224.72 **(2)** (d) *Social security number exceptions.* 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a registration under this section, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Any certificate of registration issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1. is invalid.

SECTION 2353g. 224.72 (7m) (a) of the statutes is amended to read:

224.72 **(7m)** (a) The applicant for the issuance or renewal has failed to provide ~~the~~ any information required under sub. (2) (c) 1.

SECTION 2353h. Subchapter IV of chapter 224 [precedes 224.90] of the statutes is created to read:

CHAPTER 224

SUBCHAPTER IV

NONDEPOSITORY SMALL BUSINESS LENDERS

224.90 Definitions. In this subchapter:

(1) "Division" means the division of banking.

(2) "In control" means any of the following:

(a) Owning 10% or more of the outstanding voting stock of a nondepository lender.

(b) Possessing, directly or indirectly, alone or in concert with others, the power to control or vote 10% or more of the outstanding voting stock of a nondepository lender or to elect or control the election of a majority of the board of directors of a nondepository lender.

(3) "Licensee" means a lender licensed under this subchapter.

(4) "Nondepository lender" means a commercial small business lender that participates in the loan guarantee program of the U.S. small business administration described in 13 CFR 120.2 (a) and that provides financial assistance to small businesses that qualify for financial assistance pursuant to 15 USC 636 (a). "Nondepository lender" does not include a bank, credit union, savings and loan association or savings bank.

224.92 License required. No person may engage in business as a nondepository lender in this state without a license issued under this subchapter.

224.923 License application. An application for a license under this subchapter shall be made to the division in writing on a form to be prescribed by the division. An application for a license under this subchapter shall state the full name and business address of the applicant and each officer, director and person in control of the applicant. The application also shall contain the applicant's federal employer identification number. In addition, the application shall contain the applicant's business plan, 3 years of detailed financial projections and other relevant information, all as prescribed by the division.

224.927 Disclosure of certain application information. The division may not disclose an applicant's federal employer identification number received under s. 224.923, except as follows:

(1) The division may disclose the information to the department of revenue for the sole purpose of requesting certification under s. 73.0301.

(2) The division may disclose the information to the department of workforce development in accordance with a memorandum of understanding under s. 49.857.

224.93 License approval. After a review of information regarding the directors, officers and controlling persons of the applicant for a license, a review of the applicant's business plan, including at least three years of detailed financial projections and other information considered relevant by the division, the division may approve an application for a license if the division determines that all of the following conditions are met:

(1) The applicant has at least $500,000 in capital and the amount of capital is adequate for the applicant to transact business as a nondepository lender.

(2) Each director, officer and person in control of the applicant is of good character and sound financial standing; the directors and officers of the applicant are competent to perform their functions with respect to the applicant and the directors and officers of the applicant are collectively adequate to manage the business of the applicant as a nondepository lender.

(3) The business plan of the applicant will be honestly and efficiently conducted in accordance with the intent and purpose of this subchapter.

(4) The proposed activity of the applicant possesses a reasonable prospect for success.

(5) The applicant has paid to the division the application fee prescribed by the division, together with the actual cost incurred by the division in investigating the application.

224.935 Expiration of license. (1) GENERALLY. Except as provided under sub. (2), a license issued under this subchapter expires on the June 30 following the date on which the license was issued.

(2) CHANGE IN CONTROL OF LICENSEE. A change in the identity or number of individuals that are in control of a licensee terminates the licensee's license under this subchapter, unless the licensee applies to the division for and receives a renewal of the license no later than 15 days after the change in control.

224.94 Renewal of license. Except as provided under s. 224.935 (2), a licensee shall renew its license by submitting to the division a renewal application and the renewal fee as prescribed by the division not less than 60 days before the date on which the license expires. A renewal application is subject to the same criteria as the criteria for approval of an original license.

224.95 Denial of or disciplinary action relating to license. (1) MANDATORY DENIAL. The division shall deny an application for issuance or renewal of a license under this subchapter if any of the following applies:

(a) The applicant has failed to provide its federal employer identification number under s. 224.923.

(b) The department of revenue has certified under s. 73.0301 that the applicant is liable for delinquent taxes. An applicant whose application for issuance or renewal of a license is denied under this paragraph is entitled to a notice under s. 73.0301 (2) (b) 1. b. and a hearing under

s. 73.0301 (5) (a) but is not entitled to a notice or hearing under sub. (4).

(c) The applicant is an individual who has failed 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 or who is delinquent in making 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, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose application for issuance or renewal of a license is denied under this paragraph is entitled to a notice and a hearing under s. 49.857 but is not entitled to a notice or hearing under sub. (4).

(2) DISCRETIONARY DENIAL OR DISCIPLINARY ACTION. The division may deny an application for issuance or renewal of a license under this subchapter or may revoke, suspend or limit a license issued under this subchapter if the division finds that the applicant or nondepository lender did any of the following:

(a) Made a material misstatement in an application for issuance or renewal of a license issued under this subchapter or in information provided to the division.

(b) Demonstrated a lack of competency to act as a nondepository lender.

(c) Violated any provision of this subchapter or any rule of the division.

(3) DISCIPLINARY ORDERS. The division may issue general or special orders necessary to prevent or correct actions by a nondepository lender that constitute cause under this section for revoking, suspending or limiting a license.

(4) APPEAL OF DENIAL OR DISCIPLINARY ACTION. A person whose application for issuance or renewal of a license under this subchapter has been denied or whose license has been revoked, suspended or limited under this section may request a hearing under s. 227.42 within 30 days after the date of denial, revocation, suspension or limitation. Failure of a person to request a hearing within the time provided under this subsection is a waiver of the person's right to a hearing on the denial, revocation, suspension or limitation.

224.96 Required loan loss reserve. Each licensee shall provide for a loan loss reserve sufficient to cover projected loan losses that are not guaranteed by the U.S. government or any agency of the U.S. government.

224.97 Division review of nondepository lender operations. The division may, at any reasonable time, examine the books of account, records, condition and affairs of a nondepository lender licensed under this subchapter. The division shall examine the books of account, records, condition and affairs of every nondepository lender licensed under this subchapter at least once during every 12 month period. The division shall prepare a report of each examination conducted under this section. As part of an examination under this section or as part of the preparation of an examination report, the division may examine under oath any person in control, officer, director, agent, employe or customer of the nondepository lender. The division may require a nondepository lender that is examined under this section to pay to the division a reasonable fee for the costs of conducting the examination.

224.98 Powers of licensee. A licensee may do any of the following:

(1) Participate in the loan guaranty program under 15 USC 636 (a).

(2) Participate in any other government program for which the licensee is eligible and which has as its function the provision or facilitation of financing or management assistance to business firms.

224.985 Required records and reports. (1) RECORD KEEPING. A licensee shall keep books, accounts, and other records in such a form and manner as required by rule of the division. These records shall be kept at a location and shall be preserved for a length of time as prescribed by rule of the division.

(2) ANNUAL REPORT. Not more than 90 days after the close of a licensee's fiscal year or upon request of the division, every licensee shall file with the division a report containing all of the following:

(a) Financial statements, including the balance sheet, the statement of income or loss, the statement of changes in capital accounts and the statement of changes in financial position of the licensee. The licensee shall ensure that the financial statements have been audited by an independent certified public account and prepared in accordance with generally accepted account principles.

(b) Other relevant information requested by the division.

224.99 Rule making. The division may promulgate rules for the efficient administration of this subchapter.

SECTION 2353m. 227.01 (1) of the statutes is amended to read:

227.01 **(1)** "Agency" means the Wisconsin land council or a board, commission, committee, department or officer in the state government, except the governor, a district attorney or a military or judicial officer.

SECTION 2353n. 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

227.01 **(1)** "Agency" means ~~the Wisconsin land council or~~ a board, commission, committee, department or officer in the state government, except the governor, a district attorney or a military or judicial officer.

SECTION 2353s. 227.01 (13) (t) of the statutes is amended to read: **Vetoed In Part**

227.01 **(13)** (t) Ascertains and determines prevailing wage rates and prevailing hours of labor under ~~ss.~~ s. 20.924 (1) (j) 3. c., 66.293, 103.49 ~~and~~ or 103.50, except

Vetoed In Part

that any action or inaction which ascertains and determines prevailing wage rates and prevailing hours of labor under ~~ss.~~ s. 20.924 (1) (j) 3. c., 66.293, 103.49 ~~and~~ or 103.50 is subject to judicial review under s. 227.40.

SECTION 2353sm. 227.01 (13) (zu) of the statutes is created to read:

227.01 **(13)** (zu) Establishes standards under subch. IX of ch. 254.

SECTION 2355m. 227.113 of the statutes is created to read:

227.113 Incorporation of local, comprehensive planning goals. Each agency, where applicable and consistent with the laws that it administers, is encouraged to design the rules promulgated by the agency to reflect a balance between the mission of the agency and the goals specified in s. 1.13 (2).

SECTION 2355mm. 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 2356m. 227.43 (1) (bg) of the statutes is amended to read:

227.43 **(1)** (bg) Assign a hearing examiner to preside over any hearing or review under ss. 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9) (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9), 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.01 (2) (bd) 2. and (c) 2., (3) (b), (c), (f) 1., (fm) 1. and (h) and (3c) (d), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d), 342.26, 343.69 and 348.25 (9).

SECTION 2357a. 227.52 (5) of the statutes is amended to read:

227.52 **(5)** Decisions of the division of savings ~~and loan~~ institutions.

SECTION 2358a. 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 2359a. 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 2359h. 229.42 (7) (b) 1. of the statutes is amended to read:

229.42 **(7)** (b) 1. Subject to subds. 2. and 3., the terms of office of the members of the board shall be 3 years, except that for the initial appointments for a newly created district, as specified in the enabling resolution, 4 of the appointments shall be for one year, 4 appointments, including the 3 members appointed under sub. (4) (d), shall be for 2 years and 4 appointments shall be for 3 years. The cochairpersons of the joint committee on finance or their designees shall serve on the board for a term that is concurrent with their terms in office and the comptroller's appointment shall be for the comptroller's tenure in his or her position. ~~No member who is an officer or employe of a private sector entity may serve more than 2 consecutive full terms.~~

Vetoed In Part

SECTION 2359tb. 230.04 (19m) of the statutes is created to read:

230.04 **(19m)** The secretary shall ensure that no agency require that its employes record their number of hours worked during any part of a pay period on a form on which the employe's social security number is printed.

SECTION 2359ti. 230.046 (2) of the statutes is amended to read:

230.046 **(2)** SUPERVISORY TRAINING. After initial appointment to a supervisory position, ~~the~~ each appointing authority shall ensure that each classified service supervisor successfully completes a supervisory development program ~~approved by the secretary~~. A waiver of any part of the probationary period under s. 230.28 (1) (c) may not be granted before completion of the development program. The program shall include such subjects as state personnel policies, grievance handling, discipline, performance evaluation, understanding the concerns of state employes with children, the supervisor's role in management and the concept of the total quality leadership process, including quality improvement through participatory management.

SECTION 2359to. 230.046 (3) (intro.) of the statutes is amended to read:

230.046 **(3)** TRAINING PROGRAMS. (intro.) ~~The secretary, pursuant to sub. (5), may authorize~~ Each appointing ~~authorities to~~ authority may do any of the following:

SECTION 2359ts. 230.046 (4) of the statutes is amended to read:

230.046 **(4)** RECORDS OF TRAINING PROGRAM PARTICIPATION. Each agency shall adopt a standardized system for measuring, recording, reporting, accumulating and recognizing employe participation in its training program. ~~The system may not take effect until approved by the secretary.~~

SECTION 2359tw. 230.046 (5) (intro.) of the statutes is amended to read:

230.046 **(5)** INITIATION OF PROGRAMS. (intro.) Unless otherwise empowered by law, any agency desiring to ini-

tiate a training program under sub. (3) shall ~~certify to the secretary~~ ensure that:

SECTION 2359uc. 230.046 (10) of the statutes is repealed and recreated to read:

230.046 **(10)** DEPARTMENT FUNCTIONS. The department may do all of the following:

(a) Conduct off–the–job employe development and training programs relating to functions under this chapter or subch. V of ch. 111.

(b) Charge fees to state agencies whose employes participate in employe development and training programs under this subsection.

SECTION 2359uh. 230.046 (11) of the statutes is repealed.

SECTION 2359x. 230.08 (2) (e) 3e. of the statutes is created to read:

230.08 **(2)** (e) 3e. Corrections — 5.

Vetoed In Part

SECTION 2360m. 230.08 (2) (e) 4. of the statutes is amended to read:

230.08 **(2)** (e) 4. Employment relations — ~~4~~ 3.

SECTION 2361. 230.08 (2) (e) 6. of the statutes is amended to read:

230.08 **(2)** (e) 6. Workforce development — ~~8~~ 7.

SECTION 2361d. 230.08 (2) (e) 8. of the statutes is amended to read:

230.08 **(2)** (e) 8. Natural resources — ~~6~~ 7.

SECTION 2362p. 230.08 (2) (pm) of the statutes is amended to read:

230.08 **(2)** (pm) ~~The~~ All employes of the state fair park ~~director~~ board.

SECTION 2363. 230.08 (2) (u) of the statutes is repealed.

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 2367d. 230.28 (1) (am) of the statutes is amended to read:

230.28 **(1)** (am) All probationary periods for employes in supervisory or management positions are one year unless waived after 6 months under par. (c). The waiver under par. (c) may be exercised for an employe in a supervisory position only if the employe has successfully completed ~~the~~ a supervisory development program under s. 230.046 (2). However, persons who transfer or are reinstated to supervisory or management positions consistent with conditions under sub. (4) and who had previously obtained permanent status in class in a supervisory or management position prior to the transfer or reinstatement shall serve a probationary period in accordance with sub. (4).

Vetoed In Part

SECTION 2367e. 231.03 (6) (intro.) of the statutes is amended to read:

231.03 **(6)** (intro.) ~~Issue~~ Subject to s. 231.08 (7), issue bonds of the authority, and may refuse to issue bonds of the authority only if it determines that the issuance would not be financially feasible, to do the following:

Vetoed In Part

SECTION 2367m. 231.08 (1) of the statutes is amended to read:

Vetoed In Part

231.08 **(1)** ~~The~~ Subject to sub. (7), the authority may from time to time issue bonds for any corporate purpose. All such bonds or other obligations of the authority issued under this chapter are declared to be negotiable for all purposes, notwithstanding their payment from a limited source and without regard to any other law. The authority shall employ the building commission as its financial consultant to assist and coordinate the issuance of bonds and notes of the authority.

SECTION 2367o. 231.08 (7) of the statutes is created to read:

231.08 **(7)** Beginning on the effective date of this subsection .... [revisor inserts date], the authority may not issue bonds for the purpose of purchasing a health maintenance organization, as defined in s. 609.01 (2), or any other insurer, as defined in s. 600.03 (27).

SECTION 2367q. 233.03 (12) of the statutes is amended to read:

233.03 **(12)** ~~Seek~~ Subject to s. 233.24, seek financing from, and incur indebtedness to, the Wisconsin Health and Educational Facilities Authority.

SECTION 2368m. 233.20 (1) of the statutes is amended to read:

233.20 **(1)** ~~The~~ Subject to s. 233.24, the authority may issue bonds for any corporate purpose. All bonds are negotiable for all purposes, notwithstanding their payment from a limited source.

SECTION 2368r. 233.24 of the statutes is created to read:

233.24 Limits on issuing bonds and incurring indebtedness. Beginning on the effective date of this section .... [revisor inserts date], the authority may not issue bonds or incur indebtedness to the Wisconsin Health and Educational Facilities Authority for the purpose of purchasing a health maintenance organization, as defined in s. 609.01 (2), or any other insurer, as defined in s. 600.03 (27).

SECTION 2369. 233.27 of the statutes is amended to read:

233.27 Limit on the amount of outstanding bonds. The authority may not issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds are issued or the indebtedness is incurred, the aggregate principal amount of the authority's outstanding bonds, together with all indebtedness described under s. 233.03 (12) would exceed ~~$50,000,000~~ $106,500,000. Bonds issued to fund or refund outstanding bonds, or indebtedness incurred to pay off or purchase outstanding indebtedness, is not included in calculating compliance with the ~~$50,000,000~~ $106,500,000 limit.

SECTION 2370. 234.04 (2) of the statutes is amended to read:

234.04 **(2)** The authority may make or participate in the making and enter into commitments for the making of long–term mortgage loans to eligible sponsors of housing projects for occupancy by persons and families of low and moderate income, or for the making of home-ownership mortgage loans or housing rehabilitation loans to persons and families of low and moderate income, an applicant under s. 234.59 or other eligible beneficiaries as defined in s. 234.49. The loans may be made only upon the determination by the authority that they are not otherwise available from private lenders upon reasonably equivalent terms and conditions. The authority may not make a loan to a person ~~if it receives a certification under s. 49.855 (7) that the person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). The authority may employ, for such compensation as it determines, the services of any financial institution in connection with any loan.

SECTION 2370m. 234.265 (2) of the statutes is amended to read:

234.265 **(2)** Records or portions of records consisting of personal or financial information provided by a person seeking a grant or loan under s. 234.08, 234.49, 234.59, 234.61, 234.65, 234.67, 234.83, 234.84, ~~234.88,~~ 234.90, 234.905, 234.907 or 234.91, seeking a loan under ss. 234.621 to 234.626, seeking financial assistance under s. 234.66, seeking investment of funds under s. 234.03 (18m) or in which the authority has invested funds under s. 234.03 (18m), unless the person consents to disclosure of the information.

SECTION 2371. 234.49 (1) (c) of the statutes is renumbered 234.49 (1) (c) (intro.) and amended to read:

234.49 **(1)** (c) (intro.) "Eligible beneficiary" means ~~a~~ any of the following:

1. A person ~~for whom the authority has not received a certification from the department of workforce development under s. 49.855 (7) or a~~ whose name does not appear on the statewide support lien docket under s. 49.854 (2) (b), except that a person whose name appears on the statewide support lien docket is an "eligible beneficiary" if the person provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

2. A family who or which falls within the income limits specified in par. (f).

SECTION 2372c. 234.51 (2) (intro.) of the statutes is amended to read:

234.51 **(2)** (intro.) Subject to agreements with bondholders, the authority shall use moneys in the fund solely for the following purposes:

SECTION 2372d. 234.51 (2) (a) of the statutes is amended to read:

234.51 **(2)** (a) To pay all administrative costs, expenses and charges, including origination fees and servicing fees, incurred in conducting the housing rehabilitation loan program other than those described in ss. 234.53 (4) and 234.55 (2) (b)~~; or~~.

SECTION 2372e. 234.51 (2) (b) of the statutes is repealed and recreated to read:

234.51 **(2)** (b) To transfer annually to the general fund, beginning no later than October 1, 2000, all moneys in the housing rehabilitation loan program administration fund that are no longer required for the housing rehabilitation loan program.

SECTION 2372f. 234.51 (2) (c) of the statutes is created to read:

234.51 **(2)** (c) To make the transfer under 1999 Wisconsin Act .... (this act), section 9125 (1), to the Wisconsin development reserve fund under s. 234.93.

SECTION 2372g. 234.51 (2) (c) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 2373. 234.52 (2) of the statutes is amended to read:

234.52 **(2)** Subject to agreements with bondholders, the authority shall use moneys in the fund solely for transfer to the housing rehabilitation loan program bond redemption fund in amounts equal to losses on housing rehabilitation loans owned by that fund which are not made good by federal insurance or guarantee payments, and solely for the purposes described in s. 234.55 (2) (a). Any balance remaining after payment or due provision for payment of all outstanding bonds issued under the authority of s. 234.50 shall be transferred to the housing rehabilitation loan program administration fund ~~only for the purpose of deposit in the state general fund~~.

SECTION 2374. 234.55 (3) of the statutes is amended to read:

234.55 **(3)** Any balance remaining after satisfaction of all obligations under sub. (2) shall be transferred to the housing rehabilitation loan program administration fund ~~only for the purpose of deposit in the state general fund~~.

SECTION 2375. 234.59 (3) (c) of the statutes is amended to read:

234.59 **(3)** (c) The authority shall notify an eligible lender if ~~it receives a certification under s. 49.855 (7) that a person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ a person's name appears on the statewide support lien docket under s. 49.854 (2) (b). An eligible lender may not make a loan to an applicant if it receives notification under this paragraph concerning the applicant, unless the applicant provides to the lender a payment agreement that has been approved by the county

child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2377. 234.65 (3) (f) of the statutes is amended to read:

234.65 **(3)** (f) The ~~authority has not received a certification under s. 49.855 (7) that the person receiving the loan is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ name of the person receiving the loan does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a person whose name does appear if the person provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2383. 234.83 (2) (a) 3. of the statutes is amended to read:

234.83 **(2)** (a) 3. The ~~authority has not received a certification under s. 49.855 (7) that the owner of the business is delinquent in making child support or maintenance payments~~ name of the owner of the business does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this subdivision is met for an owner whose name does appear if the owner of the business provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2388b. 234.88 of the statutes is repealed.

SECTION 2389. 234.90 (2) (b) of the statutes is amended to read:

234.90 **(2)** (b) The total outstanding principal amount of all loans to the borrower that are guaranteed under this section will not exceed ~~$20,000~~ $30,000.

SECTION 2390. 234.90 (3) (d) of the statutes is amended to read:

234.90 **(3)** (d) The ~~authority has not received a certification under s. 49.855 (7) that the farmer is delinquent in making child support or maintenance payments or owes past support, medical expenses or birth expenses~~ farmer's name does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a farmer whose name does appear if the farmer provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2391. 234.90 (3g) (c) of the statutes is amended to read:

234.90 **(3g)** (c) The ~~authority has not received a certification under s. 49.855 (7) that the farmer is delinquent in making child support or maintenance payments or owes past support, medical expenses or birth expenses~~ farmer's name does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a farmer whose name does appear if the farmer provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2392. 234.905 (3) (d) of the statutes is amended to read:

234.905 **(3)** (d) The ~~authority has not received a certification under s. 49.855 (7) that the farmer is delinquent in making child support or maintenance payments or owes past support, medical expenses or birth expenses~~ farmer's name does not appear on the statewide support lien docket under s. 49.854 (2) (b). The condition under this paragraph is met for a farmer whose name does appear if the farmer provides to the authority a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2393. 234.91 (2) (c) of the statutes is amended to read:

234.91 **(2)** (c) The total outstanding guaranteed principal amount of all loans made to the borrower that are guaranteed under this section will not exceed ~~$100,000~~ $200,000, or ~~$50,000~~ $100,000 if any of the loans is affected by any other state or federal credit assistance program.

SECTION 2393c. 234.91 (5) (a) of the statutes is amended to read: **Vetoed In Part**

234.91 **(5)** (a) Subject to par. (c), the authority shall guarantee collection of a percentage of the principal of a loan eligible for a guarantee under sub. (2). The principal amount of an eligible loan that the authority may guarantee may not exceed the borrower's net worth calculated at the time the loan is made or 25% of the ~~total loan~~ outstanding principal amount, whichever is less~~, calculated at the time the loan is made~~.

SECTION 2394. 234.93 (1) (cm) of the statutes is created to read:

234.93 **(1)** (cm) Any moneys transferred under 1999 Wisconsin Act .... (this act), section 9125 (1), from the housing rehabilitation loan program administration fund.

SECTION 2394r. 234.93 (1) (e) of the statutes is repealed.

SECTION 2396. 234.93 (4) (a) 2. of the statutes is amended to read:

234.93 **(4)** (a) 2. To fund guarantees under all of the programs guaranteed by funds from the Wisconsin development reserve fund, except for the program under s. 234.935, 1997 stats., at a ratio of $1 of reserve funding to $4.50 of total outstanding principal and outstanding guaranteed principal that the authority may guarantee under all of those programs.

SECTION 2397. 234.93 (4) (a) 3. of the statutes is amended to read:

234.93 **(4)** (a) 3. To fund guarantees under the program under s. 234.935, 1997 stats., at a ratio of $1 of

reserve funding to $4 of total principal and outstanding guaranteed principal that the authority may guarantee under that program.

SECTION 2398. 234.935 of the statutes is repealed.

SECTION 2398g. 236.13 (1) (c) of the statutes is repealed and recreated to read:

236.13 **(1)** (c) A comprehensive plan under s. 66.0295 or, if the municipality, town or county does not have a comprehensive plan, either of the following:

1. With respect to a municipality or town, a master plan under s. 62.23.

2. With respect to a county, a development plan under s. 59.69.

SECTION 2400em. 250.01 (4) (a) 5. of the statutes is created to read:

250.01 **(4)** (a) 5. A multiple municipal local health department established under s. 251.02 (3r).

SECTION 2400gm. 250.041 (1) (intro.) of the statutes is amended to read:

250.041 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, as a condition of issuing or renewing any of the following:

SECTION 2400gn. 250.041 (1m) of the statutes is created to read:

250.041 **(1m)** If an individual who applies for or to renew a registration, license, certification, approval, permit or certificate under sub. (1) does not have a social security number, the individual, as a condition of obtaining the registration, license, certification, approval, permit or certificate, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A registration, license, certification, approval, permit or certificate issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 2400gp. 250.05 (8m) (a) of the statutes is amended to read:

250.05 **(8m)** (a) ~~The~~ Except as provided in par. (am), the department shall require each applicant for registration under this section to provide the department with the applicant's social security number as a condition of issuing or renewing the registration.

SECTION 2400gq. 250.05 (8m) (am) of the statutes is created to read:

250.05 **(8m)** (am) If an individual who applies for or to renew a registration under par. (a) does not have a social security number, the individual, as a condition of obtaining registration, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A registration issued or renewed in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 2400gr. 250.05 (8m) (c) of the statutes is amended to read:

250.05 **(8m)** (c) ~~The~~ Except as provided in par. (am), the department shall deny an application for the issuance or renewal of registration under this section if the applicant does not provide the information specified in par. (a).

SECTION 2400h. 250.10 of the statutes is amended to read:

250.10 Grant for dental services. From the appropriation under s. 20.435 (5) (de), the department shall provide funding in each fiscal year to the Marquette University School of Dentistry for clinical education of Marquette University School of Dentistry students through the provision of dental services by the students and faculty of the Marquette University School of Dentistry in ~~Waushara County and Monroe County, in~~ underserved areas and to underserved populations in the state, as determined by the department in conjunction with the Marquette University School of Dentistry; to inmates of correctional centers in Milwaukee County; and in clinics in the city of Milwaukee. Beginning July 1, 2000, the department shall also distribute to qualified applicants grants totaling $25,000 for fluoride supplements, $25,000 for a fluoride mouth–rinse program and $60,000 for a school–based dental sealant program.

SECTION 2400m. 250.15 of the statutes is created to read:

250.15 Grants for community health centers. (1) DEFINITION. In this section, "community health center" means a health care entity that provides primary health care, health education and social services to low–income individuals.

(2) GRANTS. (a) From the appropriation under s. 20.435 (5) (fh), the department shall award $50,000 in each fiscal year as a grant to a community health center in a 1st class city and shall award $100,000 in each fiscal year as a grant to a nurse–managed community health center in a first class city. **Vetoed In Part**

(b) From the appropriation under s. 20.435 (5) (fh), the department shall award grants totaling $3,500,000 in fiscal year 1999–2000 and totaling $4,000,000 in fiscal year 2000–01 and in each fiscal year thereafter, to community health centers that receive federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the amount that results from multiplying the total amount available for grants under this paragraph in the fiscal year in which the grants are to be awarded by the quotient obtained by dividing the amount that the community health center received under 42 USC 254b (e), (g) or (h) in the most recently concluded federal fiscal year in which those grants were made by the total amount of federal grants under 42 USC 254b (e), (g) and (h) made in **Vetoed In Part Vetoed In Part**

that federal fiscal year to community health centers in this state.

(c) From the appropriation under s. 20.435 (5) (fh), the department shall award $25,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.

SECTION 2400qc. 251.02 (1) of the statutes is amended to read:

251.02 **(1)** In counties with a population of less than 500,000, the county board shall establish a county health department that meets the requirements of this chapter. The county health department shall serve all areas of the county that are not served by a city health department that was established prior to January 1, 1994, ~~or~~ by a town or village health department established under sub. (3m) or by a multiple local health department established under sub. (3r). No city health department may be established after ~~that date~~ January 1, 1994, but a city–county health department may be established after that date.

SECTION 2400qd. 251.02 (3r) of the statutes is created to read:

251.02 **(3r)** In a county described in sub. (3m), in addition to the local health department required to be established under sub. (3m), the governing body of a city, village or town in that county may, in concert with the governing body of another city, village or town in that county, establish a multiple municipal local health department and elect a local health officer consistent with this chapter.

SECTION 2400qe. 251.03 (4r) of the statutes is created to read:

251.03 **(4r)** Subsections (1) to (4m) do not apply to a city, village or town that establishes a multiple municipal local health department under s. 251.02 (3r). In establishing a multiple municipal local health department as described under s. 251.02 (3r), the relevant governing bodies shall agree on how many members of the local board of health are appointed by each governing body and how many of each governing body's appointees shall be members who are not elected officials or employes of the governing body. The members shall be appointed by the relevant governing bodies. A local board of health under this subsection shall elect a chairperson and clerk.

SECTION 2400qf. 251.04 (1) of the statutes is amended to read:

251.04 **(1)** A city or county board of health shall govern each local health department other than a local health department as authorized in s. 251.02 (3m) and (3r) and a city or county board of health or a board of health for a local health department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of state public health statutes and public health rules of the department as prescribed for a Level I local health department. A local board of health may contract or subcontract to provide public health services. The contractor's staff shall meet the appropriate qualifications for positions in a Level I local health department.

SECTION 2400qg. 251.04 (2) of the statutes is amended to read:

251.04 **(2)** A city or county board of health or a board of health for a local health department as authorized in s. 251.02 (3m) or (3r) shall assure that its local health department is a Level I, Level II or Level III local health department, as specified in s. 251.05 (1).

SECTION 2400qh. 251.04 (3) of the statutes is amended to read:

251.04 **(3)** A city or county board of health or a board of health for a local health department as authorized in s. 251.02 (3m) or (3r) may adopt those regulations, for its own guidance and for the governance of the local health department, that it considers necessary to protect and improve public health. The regulations may be no less stringent than, and may not conflict with, state statutes and rules of the department.

SECTION 2400qi. 251.06 (1) (a) 2. of the statutes is amended to read:

251.06 **(1)** (a) 2. A local health officer of a village or town health department established under s. 251.02 (3m) or of a multiple municipal local health department established under s. 251.02 (3r) shall be either a physician or a registered nurse. The local health officer shall be a voting member of the local board of health and shall take an oath of office. With respect to the levels of services of a Level I local health department, as specified in s. 251.05 (2) (a), the local health officer shall be authorized to act by and be directed by the county health officer of the county specified under s. 251.02 (3m).

SECTION 2400qim. 251.06 (2) (c) (intro.) of the statutes is amended to read:

251.06 **(2)** (c) (intro.) A local health officer of a local health department of a village or town established under s. 251.02 (3m) or a local health officer of a multiple municipal local health department established under s. 251.02 (3r) shall be one of the following:

SECTION 2400qin. 251.06 (2) (c) 1. of the statutes is amended to read:

251.06 **(2)** (c) 1. An employe of the local health department of the village or town or an employe of the multiple municipal local health department.

SECTION 2400qj. 251.06 (4) (c) of the statutes is amended to read:

251.06 **(4)** (c) A local health officer of a village or town health department established under s. 251.02 (3m) and a local health officer of a multiple municipal local health department established under s. 251.02 (3r) shall be appointed by the local board of health.

SECTION 2400qk. 251.12 of the statutes is amended to read:

251.12 City health department, how financed. The common council shall appropriate funds for the operation of a city health department that is established as specified in s. 251.02 (1) and (2) and for the operation of a multiple municipal local health department that is

established under s. 251.02 (3r) by the governing body of a city in concert with the governing body of another city or a village or town.

SECTION 2400qL. 251.125 of the statutes is amended to read:

251.125 Village health department, how financed. If a village health department is established under s. 251.02 (2) or (3m) or if a multiple municipal local health department is established under s. 251.01 (3r) by the governing body of a village in concert with the governing body of another village or a city or town, the village board shall appropriate funds for the operation of the department.

SECTION 2400qm. 251.127 of the statutes is amended to read:

251.127 Town health department, how financed. If a town health department is established under s. 251.02 (3m) or if a multiple municipal local health department is established under s. 251.02 (3r) by the governing body of a town in concert with the governing body of another town or a city or village, the town board shall appropriate funds for the operation of the department.

SECTION 2400rf. 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 2400rg. 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 2400rh. 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 2400ri. 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 2400rj. 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 2400rk. 252.07 (4) of the statutes is repealed.

SECTION 2400rL. 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 2400rm. 252.07 (7) of the statutes is repealed.

SECTION 2400rn. 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 2400ro. 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 2400rp. 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 2400rq. 252.073 of the statutes is repealed.

SECTION 2400rr. 252.076 of the statutes is repealed.

SECTION 2400rs. 252.08 (1) of the statutes is repealed.

SECTION 2400rt. 252.08 (2) of the statutes is repealed.

SECTION 2400ru. 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 2400rv. 252.08 (4) of the statutes is repealed.

SECTION 2400rw. 252.08 (5) of the statutes is repealed.

SECTION 2400rx. 252.08 (6) of the statutes is repealed.

SECTION 2400ry. 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 2430L. 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 2432g. 252.12 (2) (a) 8. of the statutes is amended to read:

252.12 **(2)** (a) 8. 'Life care and early intervention services.' The department shall award not more than ~~$1,894,900~~ $1,994,900 in each year in grants to applying organizations for the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services; counseling and therapy; homecare services and supplies; advocacy; and case management services. These services shall include early intervention services. The department shall also award not more than $74,000 in each year from the appropriation under s. 20.435 (7) (md) for the services under this subdivision. The state share of payment for case management services that are provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

SECTION 2432h. 252.12 (2) (c) of the statutes is renumbered 252.12 (2) (c) 1.

SECTION 2432i. 252.12 (2) (c) 2. of the statutes is created to read:

252.12 **(2)** (c) 2. From the appropriation under s. 20.435 (5) (am), the department shall award $75,000 in each fiscal year as grants for services to prevent HIV. Criteria for award of the grants shall include the criteria specified under subd. 1. The department shall award 60% of the funding to applying organizations that receive funding under par. (a) 8. and 40% of the funding to applying community–based organizations that are operated by minority group members, as defined in s. 560.036 (1) (f).

SECTION 2432j. 252.12 (2) (c) 3. of the statutes is created to read:

252.12 **(2)** (c) 3. From the appropriation under s. 20.435 (5) (am), the department shall award to the African American AIDS task force of the Black Health Coalition of Wisconsin, Inc., $25,000 in each fiscal year as grants for services to prevent HIV.

SECTION 2432r. 252.14 (1) (ar) 4q. of the statutes is created to read:

252.14 **(1)** (ar) 4q. An athletic trainer licensed under subch. VI of ch. 448.

SECTION 2432sjk. 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 2433d. 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 2433dm. 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 2433j. 252.241 (1) of the statutes is amended to read:

252.241 **(1)** ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing or renewing a license under s. 252.23 (2) or (4) (a) or 252.24 (2) or (4) (a).

SECTION 2433k. 252.241 (1m) of the statutes is created to read:

252.241 **(1m)** If an individual who applies for or to renew a license under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license, shall submit a statement made or subscribed

under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 2433L. 252.241 (3) of the statutes is amended to read:

252.241 **(3)** ~~The~~ Except as provided in sub. (1m), the department shall deny an application for the issuance or renewal of a license specified in sub. (1) if the applicant does not provide the information specified in sub. (1).

Vetoed In Part

SECTION 2435q. 253.06 (9) of the statutes is created to read:

253.06 **(9)** COUNCIL. (a) In this subsection, "council" means the supplemental food program for women, infants and children council under s. 15.197 (26).

(b) The council shall do all of the following:

1. Review all of the state statutes, administrative rules and department policies regarding the program under this section.

2. Propose statutory, rule or policy changes that would limit the occurrences of vender suspensions and terminations under sub. (5) (b) 2.

3. Propose statutory and rule changes necessary to ensure compliance with federal law.

4. Study the feasibility of distributing drafts to participants via the electronic benefit transfer system established under s. 49.129 and advise the department and the legislature regarding any policies necessary to ensure that no additional costs be incurred by vendors under the electronic benefit transfer system.

5. Submit a report to the secretary and to the legislature in the manner described under s. 13.172 (2) that details the council's recommendations for increasing the number of vendors participating in the program under this section.

(c) This subsection does not apply beginning on January 1, 2002.

SECTION 2439. 253.10 (3) (d) 1. of the statutes is amended to read:

253.10 **(3)** (d) 1. Geographically indexed materials that are designed to inform a woman about public and private agencies, including adoption agencies, and services that are available to provide information on family planning, as defined in s. 253.07 (1) (a), including natural family planning information, to provide ultrasound imaging services, to assist her if she has received a diagnosis that her unborn child has a disability or if her pregnancy is the result of sexual assault or incest and to assist her through pregnancy, upon childbirth and while the child is dependent. The materials shall include a comprehensive list of the agencies available, a description of the services that they offer and a description of the manner in which they may be contacted, including telephone numbers and addresses, or, at the option of the department, the materials shall include a toll–free, 24–hour telephone number that may be called to obtain an oral listing of available agencies and services in the locality of the caller and a description of the services that the agencies offer and the manner in which they may be contacted. The materials shall provide information on the availability of governmentally funded programs that serve pregnant women and children. Services identified for the woman shall include ~~aid to families with dependent children under s. 49.19,~~ medical assistance for pregnant women and children under s. 49.47 (4) (am), ~~the job opportunities and basic skills program under s. 49.193,~~ the availability of family or medical leave under s. 103.10, the Wisconsin works program under ss. 49.141 to 49.161, child care services, child support laws and programs and the credit for expenses for household and dependent care and services necessary for gainful employment under section 21 of the internal revenue code. The materials shall state that it is unlawful to perform an abortion for which consent has been coerced, that any physician who performs or induces an abortion without obtaining the woman's voluntary and informed consent is liable to her for damages in a civil action and is subject to a civil penalty, that the father of a child is liable for assistance in the support of the child, even in instances in which the father has offered to pay for an abortion, and that adoptive parents may pay the costs of prenatal care, childbirth and neonatal care. The materials shall include information, for a woman whose pregnancy is the result of sexual assault or incest, on legal protections available to the woman and her child if she wishes to oppose establishment of paternity or to terminate the father's parental rights. The materials shall state that fetal ultrasound imaging and auscultation of fetal heart tone services are obtainable by pregnant women who wish to use them and shall describe the services.

SECTION 2439r. 253.115 of the statutes is created to read:

253.115 Newborn hearing screening programs. (1) In this section:

(a) "Hearing loss" means an inability in one or both ears to detect sounds at 30 decibels hearing level or greater in the frequency region of 500 to 4,000 hertz, which affects speech recognition and auditory comprehension.

(b) "Hertz" means a unit of frequency equal to one cycle per second.

(c) "Hospital" has the meaning given in s. 50.33 (2).

(d) "Infant" means a child from birth to 3 months of age.

(e) "Newborn hearing screening program" means a system of a hospital under which an infant may be tested, using currently available medical techniques, to determine if the infant has a hearing loss.

(2) Beginning July 1, 2002, the department shall annually collect information from hospitals for the pre-

vious calendar year concerning the numbers of deliveries in each hospital and the availability in each hospital of a newborn hearing screening program. From this information, by July 31, 2003, and annually thereafter, the department shall determine the percentage of deliveries in this state that are performed in hospitals that have newborn hearing screening programs and shall report this information to the appropriate standing committees of the legislature under s. 13.172 (3).

(3) If, by August 5, 2003, the department determines that fewer than 88% of all deliveries in this state are performed in hospitals that have a newborn hearing screening program and so notifies the hospitals, every hospital shall, by January 1, 2004, have a newborn hearing screening program that is available to all infants who are delivered in the hospital.

Vetoed In Part

(4) From the appropriation under section 20.435 (5) (jk), the department shall award up to $333,000 in each fiscal year as grants to applying hospitals to fund the costs of establishing newborn hearing screening programs, as follows:

(a) For the period from January 1, 2000, to June 30, 2001, the department shall award moneys under this subsection only for payment of costs of capital equipment.

(b) For the period from July 1, 2001, to December 31, 2002, the department shall award moneys under this subsection for payment of training or any other initial costs of establishing a newborn hearing screening program.

SECTION 2439s. 253.115 (4) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 2440g. 254.115 (1) (intro.) of the statutes is amended to read:

254.115 **(1)** (intro.) ~~The~~ Except as provided in sub. (1m), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing or renewing any of the following:

SECTION 2440h. 254.115 (1m) of the statutes is created to read:

254.115 **(1m)** If an individual who applies for or to renew a certification, certification card or permit under sub. (1) does not have a social security number, the individual, as a condition of obtaining the certification, certification card or permit, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certification, certification card or permit issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

SECTION 2440i. 254.115 (3) of the statutes is amended to read:

254.115 **(3)** ~~The~~ Except as provided in sub. (1m), the department shall deny an application for the issuance or renewal of a certification, certification card or permit specified in sub. (1) if the applicant does not provide the information specified in sub. (1).

SECTION 2441. 254.31 (1) (b) of the statutes is created to read:

254.31 **(1)** (b) The tailings or waste produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

SECTION 2442. 254.31 (2) of the statutes is created to read:

254.31 **(2)** "Decommissioning" means conducting final operational activities at a nuclear facility to dismantle site structures, to decontaminate site surfaces and remaining structures, to stabilize and contain residual radioactive material and to carry out any other activities necessary to prepare the site for postoperational care.

SECTION 2443. 254.31 (2m) of the statutes is created to read:

254.31 **(2m)** "General license" means a license, under requirements prescribed by the department by rule, to possess, use, transfer or acquire by–product material or devices or equipment utilizing by–product material without the filing of a license application by a person or issuance of licensing confirmation by the department.

SECTION 2444. 254.31 (3) of the statutes is renumbered 254.31 (1) (intro.) and amended to read:

254.31 **(1)** (intro.) "By–product material" means any ~~radioactive~~ of the following:

(a) Radioactive material ~~(~~, except special nuclear material~~)~~, yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

SECTION 2445. 254.31 (3g) of the statutes is repealed and recreated to read:

254.31 **(3g)** "Ionizing radiation" means all radiations capable of producing ions directly or indirectly in their passage through matter, including all of the following:

(a) Electromagnetic radiations, including X–rays and gamma rays.

(b) Particulate radiations, including electrons, beta particles, protons, neutrons, alpha particles and other nuclear particles.

SECTION 2446. 254.31 (5) of the statutes is created to read:

254.31 **(5)** "Radiation generating equipment" means a system, manufactured product or device or component part of such a product or device that, during operation, is capable of generating or emitting ionizing radiation without the use of radioactive material. "Radiation generat-

ing equipment" does not include a device that emits nonionizing radiation.

SECTION 2447. 254.31 (6) of the statutes is amended to read:

254.31 **(6)** "Radiation installation" is any location or facility where radiation ~~machines are~~ generating equipment is used or where radioactive material is produced, transported, stored, disposed of or used for any purpose.

SECTION 2448. 254.31 (7) of the statutes is repealed.

SECTION 2449. 254.31 (8) of the statutes is renumbered 254.31 (9m) and amended to read:

254.31 **(9m)** "Radioactive material" includes any solid, liquid or gaseous substance which emits ionizing radiation spontaneously, including accelerator–produced material, by–product material, naturally occurring material, source material and special nuclear material.

SECTION 2450. 254.31 (9) of the statutes is amended to read:

254.31 **(9)** "Radiation source" means ~~a~~ radiation ~~machine~~ generating equipment or radioactive material ~~as defined herein~~.

SECTION 2451. 254.31 (11g) of the statutes is created to read:

254.31 **(11g)** "Specific license" means a license, under requirements prescribed by the department by rule, to possess, use, manufacture, produce, transfer or acquire radioactive material or devices or equipment utilizing radioactive material.

SECTION 2452. 254.31 (11m) of the statutes is created to read:

254.31 **(11m)** "Transuranic" means a radioactive material having an atomic number that is greater than 92.

SECTION 2453. 254.31 (12) of the statutes is amended to read:

254.31 **(12)** "X–ray tube" means any electron tube ~~which~~ that is contained in a device and that is specifically designed for the conversion of electrical energy into X–ray energy.

SECTION 2454. 254.33 of the statutes is amended to read:

254.33 Public policy. Since radiations and their sources can be instrumental in the improvement of the health and welfare of the public if properly utilized, and may be destructive or detrimental to life or health if carelessly or excessively employed or may detrimentally affect the environment of the state if improperly utilized, it is hereby declared to be the public policy of this state to encourage the constructive uses of radiation and to prohibit and prevent exposure to radiation in amounts which are or may be detrimental to health. It is further the policy for the department to advise, consult and cooperate with ~~the department of commerce and~~ other agencies of the state, the federal government, other states and interstate agencies and with affected groups, political subdivisions and industries; and, in general, to conform as nearly as possible to nationally accepted standards in the promulgation and enforcement of rules.

SECTION 2455. 254.335 of the statutes is created to read:

254.335 Agreements with the U.S. nuclear regulatory commission transition. (1) The governor may, on behalf of the state, enter into agreements with the U.S. nuclear regulatory commission, as provided in 42 USC 2021 (b), to discontinue certain federal licensing and related regulatory authority with respect to by–product material, source material and special nuclear material and to assume state regulatory authority.

(2) Any person who, on the effective date of an agreement specified under sub. (1), possesses a license issued by the U.S. nuclear regulatory commission that is subject to the agreement is considered to possess a specific license issued under s. 254.365 (1) (a) or to fulfill requirements specified for a general license under s. 254.365 (1) (b). The specific license expires 90 days after the date of receipt by the person from the department of a notice of expiration of the license or on the date of expiration that was specified in the license issued by the U.S. nuclear regulatory commission, whichever is earlier.

SECTION 2456. 254.34 (1) (intro.) of the statutes is amended to read:

254.34 **(1)** (intro.) The department ~~and the department of commerce~~ is the state radiation control agency and shall do all of the following:

SECTION 2457. 254.34 (1) (a) of the statutes is amended to read:

254.34 **(1)** (a) ~~Formulate, adopt and enforce, amend and repeal~~ Promulgate and enforce rules, including registration and licensing of sources of ionizing radiation, as may be necessary to prohibit and prevent unnecessary radiation~~. Such~~ exposure. The rules may incorporate by reference the recommended standards of nationally recognized bodies in the field of radiation protection and other fields of atomic energy, under the procedure established by s. 227.21 (2). The rules for by–product material, source material and special nuclear material may be no less stringent than the requirements under 42 USC 2011 to 2114 and regulations adopted under 42 USC 2011 to 2114.

SECTION 2458. 254.34 (1) (c) of the statutes is renumbered 254.34 (1) (c) (intro.) and amended to read:

254.34 **(1)** (c) (intro.) Develop comprehensive policies and programs for the evaluation ~~and~~, determination and reduction of hazards associated with the use of radiation~~, and for their amelioration.~~ that are compatible with requirements of the U.S. nuclear regulatory commission for the regulation of by–product material, source material and special nuclear material. The department shall maintain all of the following records:

SECTION 2459. 254.34 (1) (c) 1. of the statutes is created to read:

254.34 **(1)** (c) 1. Files of all license applications, issuances, denials, transfers, renewals, modifications, suspensions and revocations under s. 254.365.

SECTION 2460. 254.34 (1) (c) 2. of the statutes is created to read:

254.34 **(1)** (c) 2. Files of all registrants under s. 254.35 and any related administrative or judicial action.

SECTION 2461. 254.34 (2) (intro.) of the statutes is amended to read:

254.34 **(2)** (intro.) The department~~, serving as the lead agency, and the department of commerce~~ may:

SECTION 2462. 254.34 (4) of the statutes is renumbered 254.34 (1) (h) 5. and amended to read:

254.34 **(1)** (h) 5. ~~The department shall develop~~ Develop standards of performance for the regional radon centers and, from the appropriation under s. 20.435 (5) (ed), ~~the department shall~~ allocate funds based on compliance with the standards to provide radon protection information dissemination from the regional radon centers.

SECTION 2463. 254.345 of the statutes is created to read:

254.345 Assessment of Fee. (1) The department may annually assess a fee of 36% of the U.S. nuclear regulatory commission license application fee and materials license annual fee, for any licensee of the U.S. nuclear regulatory commission in this state. The fee amounts shall be used by the department for the department's activities under this subchapter. The department may revise the fee amounts by rule.

(2) This section does not apply after December 31, 2002.

SECTION 2464. 254.35 (1) of the statutes is amended to read:

254.35 **(1)** APPLICATION. ~~Every~~ For every site in this state ~~having~~ that has an ionizing radiation installation~~,~~ that is not exempted by this section or the rules of the department ~~shall be registered by the department by January 1, 1964, by,~~ the person in control of ~~an~~ the installation, including installations in sites that are administered by a state agency or in an institution under the jurisdiction of a state agency, ~~and no such~~ shall, prior to operation, register the ionizing radiation installation with the department. No ionizing radiation installation may be operated thereafter unless the site has been duly registered by January 1 of each year and a notice of the registration is possessed by the person in control. ~~Every site having an ionizing radiation installation established in this state after July 20, 1985, shall be registered prior to its operation.~~ The application for registration shall be made on forms provided by the department which shall be devised to obtain any information that is considered necessary for evaluation of hazards. Multiple radiation sources at a single radiation installation and under the control of one person shall be listed on a single registration form. Registration fees shall be levied in accordance with sub. (3). Registration alone ~~shall~~ does not imply approval of manufacture, storage, use, handling, operation or disposal of the radiation installation or radioactive materials, but ~~shall serve~~ serves merely to inform the department of the location and character of radiation sources. ~~The department shall furnish the department of commerce with a copy of each amended and new registration.~~ Persons engaged in manufacturing, demonstration, sale, testing or repair of radiation sources ~~shall not be~~ are not required to list such sources on the registration form.

SECTION 2465. 254.35 (2) of the statutes is amended to read:

254.35 **(2)** AMENDED REGISTRATION. If the person in control increases the number of sources, source strength, rated output or energy of radiation produced in any installation, he or she shall notify the department of the increase prior to operation on the revised basis. The department shall record the change in the registration. No registration is transferable from one premises to another or from one person to another. If the person in control ~~transfers~~ intends to transfer control of ownership of the radiation installation to another person ~~the registration also transfers to the other person, who~~, at least 15 days before the final transfer the registrant shall notify the department of the transfer ~~within 15 days. The department shall record the change in the~~ and the intended transferee shall file under sub. (1) an application for registration. If any installation is discontinued, the person in control shall notify the department within 30 days of the discontinuance.

SECTION 2466. 254.35 (3) (title) of the statutes is amended to read:

254.35 **(3)** (title) ~~FEES~~ REGISTRATION FEES.

SECTION 2467. 254.35 (3) (a) of the statutes is amended to read:

254.35 **(3)** (a) An annual registration fee under pars. (b) to ~~(f)~~ (fm) shall be levied for each site registration under this section. An additional penalty fee of ~~$10~~ $25, regardless of the number of X–ray tubes or generally licensed devices, shall be required for each registration whenever the annual fee for renewal is not paid prior to expiration of the registration. No additional fee may be required for recording changes in the registration information.

SECTION 2468. 254.35 (3) (b) of the statutes is amended to read:

254.35 **(3)** (b) For a ~~medical~~ site having an ionizing radiation installation serving physicians and clinics, osteopaths and clinics, ~~and~~ chiropractors or hospitals that possesses radioactive materials in any quantity, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$30~~ $44 for each X–ray tube.

SECTION 2469. 254.35 (3) (c) of the statutes is amended to read:

254.35 **(3)** (c) For a ~~chiropractic,~~ podiatric or veterinary site having an ionizing radiation installation, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$30~~ $44 for each X–ray tube.

SECTION 2470. 254.35 (3) (d) of the statutes is amended to read:

254.35 **(3)** (d) For a dental site having an ionizing radiation installation, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$20~~ $30 for each X–ray tube.

SECTION 2471. 254.35 (3) (f) of the statutes is amended to read:

254.35 **(3)** (f) For an industrial, school, research project or other site having an ionizing radiation installation ~~and radioactive materials in any quantity~~, the fee shall be at least ~~$25~~ $36 for each site and at least ~~$30~~ $44 for each X–ray tube.

SECTION 2472. 254.35 (3) (fm) of the statutes is created to read:

254.35 **(3)** (fm) For any site that has generally licensed devices that are not exempted by the department, the fee shall be at least $100 for each site and at least $50 for each device that contains at least 370 MBq or 10 mCi of cesium–137; 37 MBq or 1.0 mCi of cobalt–60; 3.7 MBq or 0.1 mCi of strontium–90; or 37 MBq or 1.0 mCi of a transuranic.

SECTION 2473. 254.35 (3) (g) of the statutes is amended to read:

254.35 **(3)** (g) The fees under this subsection shall be as stated unless the department promulgates rules to increase the annual registration fee ~~after January 1, 1986,~~ for a site having an ionizing radiation installation ~~or~~, for an X–ray tube or for generally licensed devices that are not exempted by the department.

SECTION 2474. 254.35 (4) of the statutes is amended to read:

254.35 **(4)** EXEMPTIONS. ~~The department shall~~ After initial registration under sub. (1), the department may exempt from annual registration any source ~~licensed by the nuclear regulatory commission and may exempt from registration any source of radiation installation which~~ of radiation that the department finds to be without undue radiation hazard ~~as determined by standards established by the national committee on radiation protection and measurements or any comparable nationally recognized agency established for the purpose of recommending standards for radiation protection, and after the initial registration may exempt from subsequent annual radiation requirements any source of radiation devoted primarily to industrial purposes~~.

SECTION 2475. 254.36 of the statutes is renumbered 254.34 (1) (am) and amended to read:

254.34 **(1)** (am) *Radiation protection.* ~~The department shall promulgate a radiation protection code. Other departments and agencies of state government and~~ A rule identical to a rule specified under par. (a) may be promulgated by a state agency other than the department and an ordinance identical to a rule specified under par. (a) may be enacted by a local governmental ~~units may adopt the identical code~~ unit, but no ~~other~~ rule~~, code or ordinance relating to this subject may be promulgated or enacted~~ may be promulgated or ordinance may be enacted that differs from a rule under par. (a) and relates to the same subject area except as provided under ss. 166.03 (2) (b) 6., 293.15 (8) and 293.25.

SECTION 2476. 254.365 of the statutes is created to read:

254.365 Licensing of radioactive material. (1) LICENSE REQUIRED. No person may possess, use, manufacture, transport, store, transfer or dispose of radioactive material or a device or item of equipment that uses radioactive material or may operate a site that uses radioactive material that is not under the authority of the U.S. nuclear regulatory commission unless one of the following applies:

(a) The person has a specific license issued by the department.

(b) The person meets general license requirements.

(c) The person possesses a license issued by another state or by the U.S. nuclear regulatory commission that is reciprocally recognized by the department.

(d) The person is exempted from licensure under sub. (7).

(2) APPLICATION. Application for a license under sub. (1) (a) or for reciprocal recognition under sub. (1) (c) shall be made on forms provided by the department.

(3) MODIFICATION OR TERMINATION OF LICENSE. Within 30 days after any change to the information on a license issued under this section, the licensee shall inform the department of the change and the department shall record the changed information. Within 30 days after termination of an activity licensed under this section, the person in control of the activity shall notify the department. The department may require that the person in control submit to the department for approval a plan for decommissioning the activity.

(4) RULES. The department shall promulgate rules for all of the following:

(a) The issuance, modification, suspension, termination and revocation of specific licenses under sub. (1) (a) under the standards specified in s. 254.34 (1) (a).

(b) The requirements for a general license under sub. (1) (b).

(5) FEES AND CHARGES. (a) The department may assess fees, the amounts of which are prescribed by the department by rule, for any of the following:

1. Issuance of an initial or renewal specific license under sub. (1) (a).
2. Annual license maintenance.
3. Issuance of a license amendment.
4. Termination of a license.

5. Issuance of reciprocal recognition of a license for radioactive materials of another state or the U.S. nuclear regulatory commission.

(b) The department may assess a late payment charge of 25% of the specific license renewal fee, in addition to the fee under par. (a) for renewal of a specific license, if payment for renewal of a specific license is not made within 30 days after the license expiration date.

(6) DENIAL, SUSPENSION OR REVOCATION OF LICENSURE. The department may, after a hearing under ch. 227, refuse to issue a license or suspend or revoke a license for failure by the licensee to comply with this subchapter, rules promulgated by the department under this subchapter or any condition of the license.

(7) EXEMPTION. The department may exempt from licensing requirements of this section radioactive material that the department finds is without undue radiation hazard.

SECTION 2477. 254.37 (1) of the statutes is renumbered 254.37 (1) (intro.) and amended to read:

254.37 **(1)** NOTIFICATION OF VIOLATION AND ORDER OF ABATEMENT. (intro.) Whenever the department ~~or the department of commerce~~ finds, upon inspection and examination, that a source of radiation as constructed, operated or maintained results in a violation of this subchapter or of any rules promulgated under this subchapter, ~~it~~ the department shall ~~notify~~ do all of the following:

(a) Notify the person in control that is causing, allowing or permitting the violation as to the nature of the violation ~~and order.~~

(b) Order that, prior to a specified time, the person in control shall cease and abate causing, allowing or permitting the violation and take such action as may be necessary to have the source of radiation constructed, operated, or maintained in compliance with this subchapter and rules promulgated under this subchapter.

SECTION 2478. 254.37 (2) of the statutes is amended to read:

254.37 **(2)** ORDERS. The department ~~or the department of commerce~~ shall issue and enforce such orders or modifications of previously issued orders as may be required in connection with proceedings under this subchapter. The orders shall be subject to review by the department upon petition of the persons affected. Whenever the department ~~or the department of commerce~~ finds that a condition exists ~~which~~ that constitutes an immediate threat to health due to violation of this subchapter or any rule or order promulgated under this subchapter, it may issue an order reciting the existence of the threat and the findings pertaining to the threat. The department ~~or the department of commerce~~ may summarily cause the abatement of the violation.

SECTION 2479. 254.37 (3) of the statutes is amended to read:

254.37 **(3)** RULES. The department shall promulgate and enforce the rules pertaining to ionizing radiation ~~in establishments principally engaged in furnishing medical, surgical, chiropractic and other health services to persons and animals. The department of commerce shall enforce the rules pertaining to ionizing radiation in industrial establishments. The department shall notify the department of commerce and deliver to it a copy of each new registration and at such time a decision shall be made as to which state agency shall enforce the rules pertaining to ionizing radiation~~.

SECTION 2480. 254.37 (4) of the statutes is amended to read:

254.37 **(4)** ~~ENFORCEMENT~~ JURISDICTION. ~~All orders issued under this subchapter shall be enforced by the attorney general.~~ The circuit court of Dane county shall have jurisdiction to enforce the orders by injunctional and other appropriate relief.

SECTION 2481. 254.38 (title) of the statutes is created to read:

254.38 (title) **Emergency authority.**

SECTION 2482. 254.38 of the statutes is renumbered 254.38 (1) and amended to read:

254.38 **(1)** IMPOUNDING MATERIALS. The department ~~or department of commerce~~ may impound or order the sequestration of sources of radiation in the possession of any person who is not equipped to observe or who fails to observe safety standards to protect health that are established in rules promulgated by the department ~~or the department of commerce~~.

SECTION 2483. 254.38 (2) of the statutes is created to read:

254.38 **(2)** EMERGENCY ORDERS. If the department finds that an emergency exists concerning a matter subject to regulation under this subchapter that requires immediate action to protect the public health or safety, the department may issue an emergency order without notice or hearing that recites the existence of the emergency and requires such action as is necessary to mitigate the emergency. Any person to whom the order is issued shall immediately comply with the order. A person to whom an emergency order is issued shall be afforded a hearing within 30 days after receipt by the department of a written request for the hearing. An emergency order is effective upon issuance and remains in effect for up to 90 days after issuance, except that the order may be revoked or modified based on the results of the hearing.

SECTION 2484. 254.39 (2) of the statutes is amended to read:

254.39 **(2)** This subchapter does not apply to on–site activities of any nuclear reactor plant licensed by the ~~nuclear regulatory commission~~ U.S. nuclear regulatory commission.

SECTION 2485. 254.45 of the statutes is repealed and recreated to read:

254.45 Penalties. (1) GENERAL. (a) Any person who violates this subchapter or a rule promulgated under this subchapter or a condition of a license or registration issued by the department under this subchapter may be required to forfeit not less than $100 nor more than $100,000. Each day of continued violation constitutes a separate offense.

(b) The amount of the forfeiture assessed under par. (a) shall be determined by considering all of the following:

1. The wilfulness of the violation.

2. The person's previous violations, if any, of this subchapter, rules promulgated under this subchapter or conditions of a license or registration issued by the department under this subchapter.

3. The potential danger or actual or potential injury to the environment or to public health caused by the violation.

4. The actual or potential costs of the damage or injury caused by the violation.

(2) ASSESSMENT OF FORFEITURES; NOTICE. The department may directly assess forfeitures provided for in sub. (1). If the department determines that a forfeiture should be assessed for a particular violation, the department shall send a notice of assessment to the person. The notice shall specify the amount of the forfeiture assessed and the violation and the statute or rule alleged to have been violated and shall inform the person of the right to hearing under sub. (3).

(3) HEARING. A person upon whom a forfeiture is imposed may contest the action by sending, within 10 days after receipt of notice of a contested action, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days of receipt of the request for hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227.

(4) FORFEITURE PAYMENT AND DISPOSITION. (a) A person against whom the department has assessed a forfeiture shall pay the forfeiture to the department within 10 days after receipt of the notice under sub. (2) or, if the person contests the assessment, within 10 days after receipt of the final decision after exhaustion of administrative review. If the person petitions for judicial review under ch. 227, the person shall pay the forfeiture within 10 days after receipt of the final judicial decision.

(b) The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

(5) ENFORCEMENT. The attorney general may bring an action in the name of the state to collect any forfeiture imposed under this section if the forfeiture has not been paid as required under sub. (4). The only issue to be contested in an action under this subsection is whether the forfeiture has been paid.

SECTION 2485g. Subchapter IX (title) of chapter 254 [precedes 254.911] of the statutes is created to read:

CHAPTER 254

SUBCHAPTER IX

INVESTIGATIONS OF THE SALE OR GIFT OF CIGARETTES OR TOBACCO PRODUCTS TO MINORS

SECTION 2485h. 254.911 of the statutes is created to read:

254.911 Definitions. In this subchapter:

(1) "Cigarette" has the meaning given in s. 139.30 (1).

(2) "Governmental regulatory authority" means the department; the local health department, state agency or law enforcement agency with which the department contracts under s. 254.916 (1) (a); or the person with whom the local health department, state agency or law enforcement agency contracts under s. 254.916 (1) (a).

(3) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(4) "Retailer" has the meaning given in s. 134.66 (1) (g).

(5) "Retail outlet" means a place of business from which cigarettes or tobacco products are sold at retail to consumers.

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

(7) "Tobacco products" has the meaning given in s. 139.75 (12).

(8) "Tobacco vending machine" is any mechanical device that automatically dispenses cigarettes or tobacco products when money or tokens are deposited in the device in payment for the cigarettes or tobacco products.

(9) "Tobacco vending machine operator" means a person who acquires tobacco products or stamped cigarettes from manufacturers, as defined in s. 134.66 (1) (e), or permittees, stores them and sells them through the medium of tobacco vending machines that he or she owns, operates or services and that are located on premises that are owned or under the control of other persons.

(10) "Tobacco vending machine premises" means any area in which a tobacco vending machine is located.

SECTION 2485j. 254.916 of the statutes is created to read:

254.916 Department; authority. (1) (a) In the administration of this subchapter, the department may contract with local health departments, as agents of the department, with a state agency or with law enforcement agencies of the state, or of a county, city, village or town, to cause unannounced investigations to be conducted at least annually at retail outlets, including sites of tobacco vending machines, to survey overall levels of compliance

with s. 134.66 (2) (a) and (am). A person with whom the department contracts under this paragraph may contract with another person to conduct the investigations. Except any survey conducted under 21 CFR part 897, the survey under this subsection shall cover a range of retail outlets that are not preselected on the basis of prior violations, in order to measure overall levels of compliance as well as to identify violations. The survey shall be conducted so as to provide a sample of retail outlets that reflects the distribution of minors throughout the state and the distribution of the retail outlets throughout the state where minors are likely to attempt to purchase cigarettes. The survey shall include all types of retail outlets that are required to comply with s. 134.66 (2) (a) and (am). The department shall use statistically sound sampling techniques in designing the annual surveys so as to measure overall levels of compliance and shall stratify the sample so as to measure compliance by type of retail outlet, including a private place of business other than a retail establishment, but not including a barroom, as defined in s. 125.51 (3m) (a), that is located on premises described in a license issued under s. 125.26 or 125.51 (3).

Vetoed In Part

(b) The department, in consultation with retailers and governmental regulatory authorities, shall establish standards for procedures and training for conducting investigations under this section.

(c) No retailer may be subject to unannounced investigations more than twice annually unless the retailer is found to have violated s. 134.66 (2) (a) or (am) during each investigation. Investigations conducted under sub. (12) may not be considered unannounced investigations for purposes of this paragraph.

Vetoed In Part

(2) With the permission of his or her parent or guardian, a person under 18 years of age, but not under 15 years of age, may buy, attempt to buy or possess any cigarette or tobacco product if all of the following are true:

(a) The person commits the act for the purpose of conducting an investigation under this section.

(b) The person is directly supervised during the conducting of the investigation by an adult employe of a governmental regulatory authority.

(c) The person has prior written authorization to commit the act from a governmental regulatory authority or a district attorney or from an authorized agent of a governmental regulatory authority or a district attorney.

(3) (a) All of the following, unless otherwise specified, apply in conducting investigations under this section:

(a) If questioned about his or her age during the course of an investigation, the minor shall state his or her true age.

(b) A minor may not be used for the purposes of an investigation at a retail outlet at which the minor is a regular customer.

(c) The appearance of a minor may not be materially altered so as to indicate greater age.

(d) A photograph or videotape of the minor shall be made before or after the investigation or series of investigations on the day of the investigation or series of investigations. If a prosecution results from an investigation, the photograph or videotape shall be retained until the final disposition of the case.

(e) A governmental regulatory authority shall make a good faith effort to make known to the retailer or the retailer's employe or agent, within 72 hours after the occurrence of the violation, the results of an investigation, including the issuance of any citation by a governmental regulatory authority for a violation that occurs during the conduct of the investigation. This paragraph does not apply to investigations conducted under a grant received under 42 USC 300x–021.

(f) Except with respect to investigations conducted under 42 USC 300x–021 or 21 CFR part 897, all of the following information shall be reported to the department, and to the retailer, within 10 days after the conduct of an investigation under this section:

Vetoed In Part

1. The name and position of the governmental regulatory authority employe who directly supervised the investigation.

2. The age of the minor.

3. The date and time of the investigation.

4. A reasonably detailed description of the circumstances giving rise to a violation, if any, or, if there is no violation, written notice to that effect.

5. Any other relevant information requested by the department.

Vetoed In Part

(4) No results of an investigation conducted under this section may be included in the survey specified under sub. (1) if it is proved that the requirements under sub. (3) were not met in conducting the investigation.

(5) No evidence obtained during or otherwise arising from the course of an investigation under this section that is used to prosecute a person for a violation of s. 134.66 (2) (a) or (am) may be used in the prosecution of an alleged violation of s. 125.07 (3).

(6) The department shall compile the results of investigations performed under this section and shall prepare an annual report that reflects the results for submission with the state's application for federal funds under 42 USC 300x–21. The report shall be published for public comment at least 60 days before the beginning of negotiations under sub. (7).

(7) The department shall strive annually to negotiate with the federal department of health and human services realistic and attainable interim performance targets for compliance with 42 USC 300x–26.

(8) A governmental regulatory agency under this section shall meet standards established by the department of health and family services. The department shall

annually evaluate the investigation program of each governmental regulatory authority. If, at any time, a governmental regulatory authority fails to meet the standards, the department of health and family services may terminate the contract under sub. (1).

(9) The department shall provide education and training to governmental regulatory authorities to ensure uniformity in the enforcement of this subchapter.

(10) This section does not limit the authority of the department to investigate establishments in jurisdictional areas of governmental regulatory authorities if the department investigates in response to an emergency, for the purpose of monitoring and evaluating the governmental regulatory authority's investigation and enforcement program or at the request of the governmental regulatory authority.

(11) The department shall hold a hearing under ch. 227 if any interested person, in lieu of proceeding under ch. 68, appeals to the department alleging that the person making an investigation of the appellant has a financial interest in a regulated cigarette and tobacco product retailer, tobacco vending machine operator, tobacco vending machine premises or tobacco vending machine which may interfere with his or her ability to properly take that action.

Vetoed In Part

(12) This section does not apply to surveys conducted by local units of government that have not entered into a contract under sub. (1), to determine overall levels of compliance with s. 134.66 (2) (a) and (am). No results obtained under such surveys may be used for the purpose of issuing warnings or citations or any other enforcement mechanism.

(13) The requirements of subs. (1) to (12) do not apply to investigations of retail establishments conducted by the city of Madison, or the local health department or law enforcement agency of the city of Madison, in its jurisdictional area to determine compliance with and to enforce s. 134.66 (2).

SECTION 2485L. 254.92 (2) (b) of the statutes is created to read:

254.92 **(2)** (b) A person under 18 years of age, but not under 15 years of age, may purchase, attempt to purchase or possess cigarettes or tobacco products in the course of his or her participation in an investigation under s. 254.916 that is conducted in accordance with s. 254.916 (3).

SECTION 2485t. 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 2486g. 255.15 of the statutes is created to read:

255.15 Statewide tobacco control program. (1) DEFINITIONS. In this section, "board" means the tobacco control board.

(1m) DUTIES. The board shall do all of the following:

(a) Appoint an executive director within the classified service who shall employ staff within the classified service with appropriate programmatic and technical expertise.

(b) Administer the grant program under sub. (3).

(c) Promulgate rules establishing criteria for recipients of grants awarded under sub. (3), including performance–based standards for grant recipients that propose to use the grant for media efforts. The board shall ensure that programs or projects conducted under the grants are culturally sensitive.

(d) Provide a forum for the discussion, development, and recommendation of public policy alternatives in the field of smoking cessation and prevention.

(e) Provide a clearinghouse of information on matters relating to tobacco issues and how they are being met in different places throughout the nation such that both lay and professional groups in the field of government, health care and education may have additional avenues for sharing experiences and interchanging ideas in the formulation of public policy on tobacco.

(f) Develop and prepare an annual plan regarding the allocation of funding for a statewide tobacco control program based on successful tobacco control programs in other states and based on recommendations of the U.S. Centers for Disease Control regarding the allocation of funding for comprehensive tobacco control programs.

Vetoed In Part

(3) USE OF FUNDS. (a) From the appropriation under s. 20.436 (1) (tc), the board shall distribute the following amounts to or for all of the following:

1. The board of regents of the University of Wisconsin System for the tobacco research and intervention center at the University of Wisconsin–Madison, $1,000,000 in each fiscal year.

2. The Thomas T. Melvin youth tobacco prevention and education program under s. 255.10, $1,000,000 in fiscal year 1999–2000 and not less than $1,000,000 in fiscal year 2000–01 and in each fiscal year thereafter.

3. A youth smokeless tobacco cessation and prevention campaign developed by the division within the department that has primary responsibility for administering public health programs, $92,000 in fiscal year 1999–2000.

4. The Medical College of Wisconsin for tobacco use prevention and cessation activities, $500,000 in fiscal year 2000–01 and in each fiscal year thereafter. Funds distributed under this subdivision may only be used for activities directly related to preventing individuals from smoking and assisting smokers to quit smoking.

(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute grants for any of the following:

1. Community–based programs to reduce tobacco use.

2. Community–based programs to reduce the burden of tobacco–related diseases.

3. School–based programs relating to tobacco use cessation and prevention.

4. Enforcement of local laws aimed at reducing exposure to secondhand smoke and restricting underage access to tobacco.

5. Grants for partnerships among statewide organizations and businesses that support activities related to tobacco use cessation and prevention.

6. Marketing activities that promote tobacco use cessation and prevention.

7. Projects designed to reduce tobacco use among minorities and pregnant women.

8. Other tobacco use cessation programs.

9. Surveillance of indicators of tobacco use and evaluation of the activities funded under this section.

10. Development of policies that restrict access to tobacco products and reduce exposure to environmental tobacco smoke.

(c) No recipient of moneys distributed under par. (b) may expend more than 10% of those moneys for administrative costs.

(4) REPORTS. Not later than July 1, 2001, and annually thereafter, the board shall submit to the governor and to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) a report that evaluates the success of the grant program under sub. (3). The report shall specify the number of grants awarded during the immediately preceding fiscal year and the purpose for which each grant was made. The report shall also specify donations and grants accepted by the board under sub. (5).

(5) FUNDS. The board may accept for any of its purposes any donations and grants of money, equipment, supplies, materials and services from any person. The board shall include in the report under sub. (4) any donation or grant accepted by the board under this subsection, including the nature, amount and conditions, if any, of the donation or grant and the identity of the donor.

(6) SUBCOMMITTEES. The board may create subcommittees to assist in its work. If the board creates subcommittees, one of the subcommittees shall address the issue of populations most adversely affected by tobacco.

SECTION 2487. 281.01 (15) of the statutes is amended to read:

281.01 **(15)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

SECTION 2487p. 281.16 (3) (e) of the statutes is amended to read:

281.16 **(3)** (e) An owner or operator of an agricultural facility or practice that is in existence before October 14, 1997, may not be required by this state or a municipality to comply with the performance standards, prohibitions, conservation practices or technical standards under this subsection unless cost–sharing is available, under ~~sub. (5) or~~ s. 92.14 or 281.65 or from any other source, to the owner or operator. For the purposes of this paragraph, sub. (4) and ss. 92.07 (2), 92.105 (1), 92.15 (4) and 823.08 (3) (c) 2., the department of natural resources shall promulgate rules that specify criteria for determining whether cost–sharing is available under ~~sub. (5) or~~ s. 281.65 and the department of agriculture, trade and consumer protection shall promulgate rules that specify criteria for determining whether cost–sharing is available under s. 92.14 or from any other source. The rules may not allow a determination that cost–sharing is available to meet local regulations under s. 92.07 (2), 92.105 (1) or 92.15 that are consistent with or that exceed the performance standards, prohibitions, conservation practices or technical standards under this subsection unless the cost–sharing is at least 70% of the cost of compliance or is from 70% to 90% of the cost of compliance in cases of economic hardship, as defined in the rules.

SECTION 2487r. 281.16 (4) of the statutes is amended to read:

281.16 **(4)** APPLICATION TO ANIMAL FEEDING OPERATIONS. If the department issues a notice of discharge under ch. 283 for an animal feeding operation, the performance standards, prohibitions, conservation practices and technical standards under sub. (3) apply to the animal feeding operation, except that if the animal feeding operation is in existence before October 14, 1997, the performance standards, prohibitions, conservation practices and technical standards only apply if the department determines that cost–sharing is available to the owner or operator of the animal feeding operation under ~~sub. (5),~~ s. 92.14 or 281.65 or from any other source.

SECTION 2487t. 281.16 (5) of the statutes is repealed.

SECTION 2487x. 281.165 of the statutes is created to read:

281.165 Compliance with water quality standards for wetlands. (1) COMPLIANCE; EXEMPTION. 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 requirements under either sub. (2) or (3).

(2) TREMPEALEAU COUNTY. Subsection (1) applies to an activity that meets all of the following requirements:

(a) The wetland area that will be affected by the activity is less than 15 acres in size.

(b) The site of the activity is zoned for industrial use and is in the vicinity of a manufacturing facility.

(c) The site of the activity is within the corporate limits of a city on January 1, 1999.

(d) 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.

(e) The site of the activity is located in Trempealeau County.

(3) DUNN COUNTY. (a) Subsection (1) applies to an activity that meets the requirements under sub. (2) (c) and (d) and all of the following requirements:

1. The wetland area that will be affected by the activity is no more than 4.2 acres in size.

2. The site of the activity is zoned for technology park use and is in the vicinity of a manufacturing facility.

3. The site of the activity is located in Dunn County.

(b) Before any person engages in the activity described in par. (a), the U.S. Army Corps of Engineers shall have issued a permit for the activity that contains a mitigation plan that requires the creation of at least 1.5 acres of wetland for each acre of wetland affected by the activity.

SECTION 2490x. 281.57 (10r) of the statutes is created to read:

281.57 **(10r)** LOAN FOR REPLACEMENT OF A FAILED SEQUENTIAL BATCH REACTOR. Notwithstanding subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the department shall provide a loan of $770,000 to a municipality for all of the administrative, planning, design and construction costs incurred after January 1, 1997, for the replacement of a failed sequential batch reactor point source pollution abatement facility for which the department has issued written concurrence on or before March 26, 1999, that the construction of a new wastewater treatment plant is the most cost–effective option, and for which the municipality has on or before March 26, 1999, committed to work with the department towards securing reimbursement of the loan from the federal environmental protection agency under 40 CFR 35.2032. The department may not charge any interest on the loan and may not require the municipality to repay the loan until the municipality receives a grant from the federal environmental protection agency for the replacement of the point source pollution abatement facility. If the federal environmental protection agency denies the grant or a portion of the grant, the department shall forgive the amount of the loan that exceeds the amount of the grant.

Vetoed In Part

SECTION 2490z. 281.57 (10t) of the statutes is created to read:

281.57 **(10t)** LOAN FOR A DRINKING WATER TREATMENT PLANT. Notwithstanding subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the department shall provide a loan of $1,100,000 to the village of Marathon for the upgrading or replacement of a drinking water treatment plant. The department may not charge any interest on the loan. The department may not require the municipality to repay the loan until the municipality receives a grant from the federal environmental protection agency for the upgrading or replacement of the drinking water treatment plant. If the federal environmental protection agency denies the grant or a portion of the grant, the village of Marathon shall repay the amount of the loan that exceeds the amount of the grant.

SECTION 2491. 281.58 (1) (ae) of the statutes is repealed.

SECTION 2492. 281.58 (6) (a) 4. of the statutes is repealed.

SECTION 2493. 281.58 (6) (b) 1. of the statutes is amended to read:

281.58 **(6)** (b) 1. Purchasing or refinancing the obligation of a municipality if the obligation was incurred to finance the cost of constructing a water pollution control project located in this state ~~and the obligation was initially incurred on or after May 17, 1988~~.

SECTION 2494. 281.58 (6) (b) 2. of the statutes is repealed.

SECTION 2495. 281.58 (7) (b) 3. of the statutes is repealed.

SECTION 2495p. 281.58 (7) (b) 5. of the statutes is repealed.

Vetoed In Part

SECTION 2496. 281.58 (7) (b) 7. of the statutes is repealed.

SECTION 2496m. 281.58 (8) (a) 1. of the statutes is amended to read:

Vetoed In Part

281.58 **(8)** (a) 1. A person or municipality that has failed to substantially comply, as specified by the rules promulgated under sub. (2), with the terms of a federal or state grant or loan used to pay the costs of studies, investigations, plans, designs or construction associated with wastewater collection, transportation, treatment or disposal ~~or used to pay the cost of studies, investigations, plans, designs or construction associated with implementing a nonpoint source control management program~~.

SECTION 2497. 281.58 (8) (h) of the statutes is amended to read:

281.58 **(8)** (h) Except as provided in par. (k), a municipality that is a violator of an effluent limitation at the time that the application for a treatment work project is

approved under sub. (9m) may not receive financial assistance of a method specified under sub. (6) (b) 1., ~~2.,~~ 3., 4. or 5. for that part of the treatment work project that is needed to correct the violation. This paragraph does not apply to a municipality that after May 17, 1988, is in compliance with a court or department order to correct a violation of the enforceable requirements of its ch. 283 permit, and that is applying for financial assistance under s. 281.59 (13) to correct that violation.

SECTION 2498. 281.58 (8) (j) of the statutes is created to read:

281.58 **(8)** (j) The amount of a payment under sub. (6) (b) 8. may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the municipality under sub. (6) (b) 4.

SECTION 2499. 281.58 (8) (L) of the statutes is repealed.

SECTION 2500. 281.58 (8e) (a) of the statutes is amended to read:

281.58 **(8e)** (a) The type of project and the order in which it is listed under sub. (7) (b) 1. to ~~7.~~ 6.

SECTION 2501. 281.58 (8s) of the statutes is amended to read:

281.58 **(8s)** FACILITY PLAN. A municipality seeking financial assistance for a project under this section~~, except for a municipality seeking a capital cost loan,~~ shall complete a facility plan as required by the department by rule.

SECTION 2502. 281.58 (9) (b) of the statutes is amended to read:

281.58 **(9)** (b) A municipality seeking financial assistance~~, except for a municipality seeking a capital cost loan,~~ for a project under the clean water fund program shall complete an environmental analysis sequence as required by the department by rule.

Vetoed In Part

SECTION 2502v. 281.58 (12) (a) 2. of the statutes is repealed.

SECTION 2503. 281.58 (12) (a) 4. of the statutes is amended to read:

281.58 **(12)** (a) 4. The interest rate for projects specified in sub. (7) (b) 6. ~~and 7.~~ and for those portions of projects under subd. 1. that are restricted by sub. (8) (b), (c), (f) or (h) is market interest rate.

SECTION 2504. 281.58 (12) (a) 5. of the statutes is repealed.

Vetoed In Part

SECTION 2504e. 281.58 (12) (f) of the statutes is amended to read:

281.58 **(12)** (f) The department and the department of administration jointly may request the joint committee on finance to take action under s. 13.101 (11) to modify the percentage of market interest rates established in par. (a) 1. ~~to~~ or 3.

SECTION 2504p. 281.59 (1) (d) (intro.) of the statutes is amended to read:

Vetoed In Part

281.59 **(1)** (d) (intro.) "Subsidy" means the amounts provided from the environmental improvement fund to clean water fund program, safe drinking water loan program, urban storm water loan program and land recycling loan program projects for the following purposes:

SECTION 2504q. 281.59 (1) (d) 1. of the statutes is amended to read:

281.59 **(1)** (d) 1. To reduce the interest rate of clean water fund program, safe drinking water loan program, urban storm water loan program and land recycling loan program loans from market rate to a subsidized rate.

SECTION 2504r. 281.59 (1) (em) of the statutes is created to read:

281.59 **(1)** (em) "Urban storm water loan program" means the program administered under s. 281.595, with financial management provided under this section.

SECTION 2505. 281.59 (1m) (c) of the statutes is created to read:

281.59 **(1m)** (c) There is established a private sewage system replacement and rehabilitation loan program, administered under s. 145.245 (12m).

Vetoed In Part

SECTION 2506f. 281.59 (1m) (d) of the statutes is created to read:

281.59 **(1m)** (d) There is established an urban storm water loan program, administered under s. 281.595, with financial management provided under this section.

SECTION 2506g. 281.59 (2) (a) of the statutes is amended to read:

281.59 **(2)** (a) Administer its responsibilities under this section and ss. 281.58, 281.595, 281.60 and 281.61.

SECTION 2506h. 281.59 (2) (b) of the statutes is amended to read:

281.59 **(2)** (b) Cooperate with the department in administering the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program.

SECTION 2506i. 281.59 (3) (a) 1. of the statutes is amended to read:

281.59 **(3)** (a) 1. An estimate of the wastewater treatment, safe drinking water, urban storm water and land recycling project needs of the state for the 4 fiscal years of the next 2 biennia.

SECTION 2506j. 281.59 (3) (a) 4. of the statutes is amended to read:

281.59 **(3)** (a) 4. The extent to which the funding for the clean water fund program, the urban storm water loan program and the safe drinking water loan program, in the environmental improvement fund, will be maintained in perpetuity.

SECTION 2506k. 281.59 (3) (a) 5. of the statutes is amended to read:

281.59 **(3)** (a) 5. The most recent available audited financial statements of the past operations and activities of the clean water fund program, the safe drinking water loan program, the urban storm water loan program and

Vetoed In Part

the land recycling loan program, the estimated environmental improvement fund capital available in each of the next 4 fiscal years for the clean water fund program, the urban storm water loan program and the safe drinking water loan program, and the projected environmental improvement fund balance for the clean water fund program, the urban storm water loan program and the safe drinking water loan program for each of the next 20 years given existing obligations and financial conditions.

Vetoed In Part

SECTION 2506L. 281.59 (3) (a) 6s. of the statutes is created to read:

281.59 **(3)** (a) 6s. An amount equal to the estimated present value of subsidies for all loans under the urban storm water loan program to be made during the biennium for which the biennial finance plan is prepared, discounted at a rate of 7% per year to the first day of that biennium.

SECTION 2506m. 281.59 (3) (a) 7. of the statutes is amended to read:

281.59 **(3)** (a) 7. A discussion of the assumptions made in calculating the amounts under subds. 6., 6e. ~~and~~, 6m. and 6s.

SECTION 2506q. 281.59 (3) (j) of the statutes is amended to read:

281.59 **(3)** (j) No later than November 1 of each odd–numbered year, the department of administration and the department jointly shall submit a report, to the building commission and committees as required under par. (bm), on the implementation of the amount established under sub. (3e) (b) as required under s. 281.58 (9m) (e), and on the operations and activities of the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program for the previous biennium.

SECTION 2507. 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

281.59 **(3e)** (b) 1. Equal to ~~$90,200,000~~ $85,200,000 during the ~~1997–99~~ 1999–01 biennium.

3. Equal to $1,000 for any biennium after the ~~1997–99~~ 1999–01 biennium.

SECTION 2508. 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3m)** (b) 1. Equal to ~~$4,500,000~~ $9,400,000 during the ~~1997–99~~ 1999–01 biennium.

2. Equal to $1,000 for any biennium after the ~~1997–99~~ 1999–01 biennium.

SECTION 2509. 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3s)** (b) 1. Equal to ~~$21,000,000~~ $12,600,000 during the ~~1997–99~~ 1999–01 biennium.

2. Equal to $1,000 for any biennium after the ~~1997–99~~ 1999–01 biennium.

Vetoed In Part

SECTION 2509m. 281.59 (3v) of the statutes is created to read:

281.59 **(3v)** URBAN STORM WATER LOAN PROGRAM EXPENDITURES. (a) No moneys may be expended for the urban storm water loan program in a biennium until the legislature reviews and approves all of the following as part of the biennial budget act for the biennium:

Vetoed In Part

1. An amount of present value of the subsidy for the urban storm water loan program that is specified for that biennium under par. (b) and is based on the amount included in the biennial finance plan under sub. (3) (a) 6s.

2. The amount of public debt, authorized under s. 20.866 (2) (tc), that the state may contract for the purposes of the urban storm water loan program.

(b) The amount of present value of the subsidy for the urban storm water loan program that is approved by the legislature under this paragraph is as follows:

1. Equal to $4,500,000 during the 1999–01 biennium.

2. Equal to $1,000 for any biennium after the 1999–01 biennium.

(c) The department of administration may allocate amounts approved under par. (b) as the present value of subsidies for financial assistance under the urban storm water loan program.

(d) Using the amount approved under par. (b) as a base, the department of administration shall calculate the present value of the actual subsidy of each urban storm water loan made for those projects in each biennium that are approved for financial assistance. The present value shall be discounted as provided under sub. (3) (a) 6s.

SECTION 2509p. 281.59 (4) (a) of the statutes is amended to read:

Vetoed In Part

281.59 **(4)** (a) The clean water fund program ~~is a~~, the urban storm water loan program and the safe drinking water loan program are revenue–producing ~~enterprise or program~~ enterprises or programs, as defined in s. 18.52 (6).

Vetoed In Part

SECTION 2509q. 281.59 (4) (am) of the statutes is amended to read:

281.59 **(4)** (am) Deposits, appropriations or transfers to the environmental improvement fund for the purposes of the clean water fund program, the urban storm water loan program or the safe drinking water loan program may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18 or in accordance with subch. IV of ch. 18 if designated a higher education bond.

Vetoed In Part

SECTION 2510. 281.59 (4) (b) of the statutes is amended to read:

281.59 **(4)** (b) The department of administration may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562, deposit in a separate and distinct fund in the state treasury or in an account maintained by a trustee outside the state treasury, any portion of the revenues derived under s. 25.43 (1). The revenues deposited with a trustee outside the state treasury are the trustee's revenues in accordance with the agreement between this state and the trustee or in accordance with the resolution pledging the revenues to the

repayment of revenue obligations issued under this subsection.

SECTION 2510d. 281.59 (4) (c) of the statutes is amended to read:

281.59 **(4)** (c) The building commission may pledge any portion of revenues received or to be received in the fund established in par. (b) or the environmental improvement fund to secure revenue obligations issued under this subsection. The pledge shall provide for the transfer to the environmental improvement fund of all pledged revenues, including any interest earned on the revenues, which are in excess of the amounts required to be paid under s. 20.320 (1) (c) and (u) for the purposes of the clean water fund program or the urban storm water loan program plus the amounts required to be paid under s. 20.320 (2) (c) and (u) for the safe drinking water loan program. The pledge shall provide that the transfers be made at least twice yearly, that the transferred amounts be deposited in the environmental improvement fund and that the transferred amounts are free of any prior pledge.

Vetoed In Part

Vetoed In Part

SECTION 2510m. 281.59 (4) (f) of the statutes is amended to read:

281.59 **(4)** (f) 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 for the clean water fund program and the urban storm water loan program shall not exceed $1,297,755,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes. Revenue obligations issued under this subsection for the safe drinking water loan program shall not exceed $27,700,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

Vetoed In Part

Vetoed In Part

Vetoed In Part

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, the urban storm 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.

Vetoed In Part

Vetoed In Part

SECTION 2511c. 281.59 (9) (am) of the statutes is amended to read:

281.59 **(9)** (am) The department of administration, in consultation with the department, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation, as set forth under s. 66.36, is required for the repayment of the financial assistance. Any terms and conditions established under this paragraph by the department of administration shall comply with the requirements of this section and s. 281.58, 281.595, 281.60 or 281.61. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

Vetoed In Part

SECTION 2511e. 281.59 (9) (b) (intro.) of the statutes is amended to read:

Vetoed In Part

281.59 **(9)** (b) (intro.) As a condition of receiving financial assistance under the clean water fund program, the safe drinking water loan program, the urban storm water loan program or the land recycling loan program, an applicant shall do all of the following:

SECTION 2511f. 281.59 (9) (b) 1. of the statutes is amended to read:

281.59 **(9)** (b) 1. Pledge the security, if any, required by the rules promulgated by the department of administration under this section and s. 281.58, 281.595, 281.60 or 281.61.

SECTION 2511g. 281.59 (11) (a) of the statutes is amended to read:

281.59 **(11)** (a) The department of natural resources and the department of administration may enter into a financial assistance agreement with an applicant for which the department of administration has allocated subsidy under s. 281.58 (9m), 281.595 (8), 281.60 (8) or 281.61 (8) if the applicant meets the conditions under sub. (9) and the other requirements under this section and s. 281.58, 281.595, 281.60 or 281.61.

SECTION 2511i. 281.59 (11) (b) of the statutes is amended to read:

281.59 **(11)** (b) If a municipality fails to make a principal repayment or interest payment after its due date, the department of administration shall place on file a certified statement of all amounts due under this section and s. 281.58, 281.595, 281.60 or 281.61. After consulting the department, the department of administration may collect all amounts due by deducting those amounts from any state payments due the municipality or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of that action.

SECTION 2511k. 281.59 (11) (c) of the statutes is amended to read:

281.59 **(11)** (c) The department of administration may retain the last payment under a financial assistance agreement until the department of natural resources and the department of administration determine that the project is completed and meets the applicable requirements of this section and s. 281.58, 281.595, 281.60 or 281.61

Vetoed In Part

and that the conditions of the financial assistance agreement are met.

SECTION 2512. 281.59 (12) of the statutes is amended to read:

281.59 **(12)** MUNICIPAL OBLIGATIONS. The department of administration may purchase or refinance obligations specified in s. 281.58 (6) (b) 1. ~~or 2.~~ and guarantee or purchase insurance for municipal obligations specified in s. 281.58 (6) (b) 3. if the department of administration and the department of natural resources approve the financial assistance under this section and s. 281.58.

Vetoed In Part

SECTION 2512e. 281.59 (13s) of the statutes is amended to read:

281.59 **(13s)** POWERS. The department of administration may audit, or contract for audits of, projects receiving financial assistance under the clean water fund program, the safe drinking water loan program, the urban storm water loan program and the land recycling loan program.

SECTION 2512g. 281.59 (14) of the statutes is amended to read:

281.59 **(14)** RULES. The department of administration shall promulgate rules that are necessary for the proper execution of this section and of its responsibilities under ss. 281.58, 281.595, 281.60 and 281.61.

SECTION 2512j. 281.595 of the statutes is created to read:

281.595 Urban storm water loan program. (1) DEFINITIONS. In this section:

(a) "Local governmental unit" means a city, village, town, county, town sanitary district, public inland lake protection and rehabilitation district or metropolitan sewerage district.

(b) "Market interest rate" means the interest at the effective rate of a revenue obligation issued by this state to fund a loan or portion of a loan for a clean water fund program project under s. 281.58.

(c) "Population" means population shown by the last federal census or by any subsequent population estimate under s. 16.96.

(d) "Urban area" means any of the following:

1. An area with a population of 1,000 or more per square mile.

2. An area in which the land is used for industrial or commercial land uses.

3. An area that is surrounded by an area described in subd. 1. or 2.

(e) "Urban storm water loan program" means the program administered under this section, with financial management provided under s. 281.59.

(2) GENERAL. The department and the department of administration shall administer a program to provide financial assistance to local governmental units for the planning, designing, construction or modification of nonpoint source pollution and urban storm water runoff projects in urban areas.

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(2g) INELIGIBLE USES. A local governmental unit may not use financial assistance under this section to pay any portion of the cost of a project for which financial assistance is provided under s. 281.65.

(2r) METHODS OF PROVIDING FINANCIAL ASSISTANCE. The following methods of providing financial assistance may be used under the urban storm water loan program:

(a) Making loans below the market interest rate for projects described in sub. (2).

(b) Purchasing or refinancing the obligation of a local governmental unit that was incurred to finance the cost of a project described in sub. (2).

(c) Guaranteeing, or purchasing insurance for, obligations incurred to finance the cost of projects described in sub. (2) if the guarantee or insurance will provide credit market access or reduce interest rates.

(d) Providing payments to the board of commissioners of public lands to reduce principal or interest payments, or both, on loans made to local governmental units under subch. II of ch. 24 by the board of commissioners of public lands for projects that are eligible for financial assistance under the urban storm water loan program.

(3) NOTICE OF INTENT TO APPLY. (a) A local governmental unit shall submit notice of its intent to apply for financial assistance under the urban storm water loan program at least 6 months before the beginning of the fiscal year in which it intends to receive the financial assistance. The notice shall be in a form prescribed by the department and the department of administration.

(b) If a local governmental unit does not apply for financial assistance by April 30 of the 2nd year following the year in which it submitted notice under par. (a), the local governmental unit shall submit a new notice under par. (a).

(c) The department may waive par. (a) or (b) upon the written request of a local governmental unit.

(4) ENGINEERING REPORT. A local governmental unit seeking financial assistance for a project under this section shall submit an engineering report, as required by the department by rule.

(5) APPLICATION. After the department approves a local governmental unit's engineering report submitted under sub. (4), the local governmental unit shall submit an application for urban storm water financial assistance to the department. The applicant shall submit the application before the April 30 preceding the beginning of the fiscal year in which the applicant wishes to receive the financial assistance. The application shall be in the form and include the information required by the department and the department of administration and shall include plans and specifications that are approvable by the department under this section. An applicant may not submit more than one application per project per year.

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(6) PRIORITY LIST. The department shall establish a priority list that ranks each urban storm water loan program project. The department shall promulgate rules for determining project rankings that base project priority on the impact of a project on groundwater and surface water quality and on public health.

(7) APPROVAL OF APPLICATION. The department shall approve an application received under sub. (5) after all of the following occur:

(a) The project is ranked on the priority list under sub. (6).

(b) The department determines that the project meets the eligibility requirements under this section.

(c) The department of administration determines that the local governmental unit will meet the requirements of s. 281.59 (9) (b).

(d) The legislature has approved an amount under s. 281.59 (3v) (b) 1. for the biennium.

(8) FUNDING LIST; ALLOCATION OF FUNDING. (a) The department shall establish a funding list for each fiscal year that ranks projects of local governmental units that submit approvable applications under sub. (5) in the same order that they appear on the priority list under sub. (6). If sufficient funds are not available to fund all approved applications for financial assistance, the department of administration shall allocate funding to projects that are approved under sub. (7) in the order that they appear on the funding list.

(b) In allocating subsidy under this subsection, the department of administration shall adhere to the amount approved by the legislature for each biennium under s. 281.59 (3v) (b).

(8m) CONDITIONS OF FINANCIAL ASSISTANCE. As a condition of receiving financial assistance under the urban storm water loan program, a local governmental unit shall do all of the following:

(a) Establish a dedicated source of revenue for the repayment of the financial assistance.

(b) Comply with those provisions of 33 USC 1381 to 1387 and this chapter and ch. 283 and the regulations and rules promulgated under those provisions that the department specifies.

(c) Develop and adopt a program for the operation and maintenance of the nonpoint source pollution or storm water project, including the training of personnel, as required by the department.

(8s) INELIGIBILITY FOR AND LIMITATION ON FINANCIAL ASSISTANCE. (a) A person or municipality that has failed to substantially comply, as specified by the rules promulgated under sub. (12), with the terms of a federal or state grant or loan used to pay the cost of studies, investigations, plans, designs or construction associated with implementing a nonpoint source control management program is not eligible for financial assistance from the urban storm water loan program.

(b) The amount of a payment under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the local governmental unit under sub. (2r) (a).

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(9) FINANCIAL ASSISTANCE COMMITMENTS. The department and the department of administration may, at the request of a local governmental unit, issue a notice of financial assistance commitment after the local governmental unit's application for urban storm water financial assistance has been approved under sub. (7) and funding has been allocated under sub. (8) for the local governmental unit's project. The notice of financial assistance commitment shall specify the conditions that the local governmental unit must meet to secure financial assistance and shall include the estimated repayment schedules and other terms of the financial assistance.

(10) DEADLINE FOR CLOSING. If funding is allocated to a project under sub. (8) for a loan and the loan is not closed before April 30 of the year following the year in which funding is allocated, the department of administration shall release the funding allocated to the project.

(11) LOAN INTEREST RATES. (a) Except as provided under par. (b), the interest rate on an urban storm water loan program loan shall be 55% of market interest rate.

(b) The department and the department of administration jointly may request the joint committee on finance to take action under s. 13.101 (11) to modify the percentage of market interest under par. (a).

(11m) SERVICE FEE. The department and the department of administration may jointly charge and collect an annual service fee for reviewing and acting upon urban storm water loan program applications and servicing financial assistance agreements. The fee shall be in addition to interest payments at the rate under sub. (11). The department and the department of administration shall specify any fee in the biennial finance plan and shall design the fee to cover the costs of reviewing and acting upon urban storm water loan program applications and servicing financial assistance agreements.

(12) DUTIES OF THE DEPARTMENT. The department shall do all of the following:

(a) Promulgate rules establishing eligibility criteria for applicants and projects under this section.

(b) Promulgate rules that are necessary for the execution of its responsibilities under the urban storm water loan program.

(c) Cooperate with the department of administration in administering the urban storm water loan program.

(d) By May 1 of each even–numbered year, prepare and submit to the department of administration a biennial needs list that includes all of the following information:

1. A list of urban storm water projects that the department estimates will apply for financial assistance under

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the urban storm water loan program during the next biennium.

2. The estimated cost and estimated construction schedule of each project on the list, and the total of the estimated costs of all projects on the list.

3. The estimated rank of each project on the priority list under sub. (6).

(e) Submit a biennial budget request under s. 16.42 for the urban storm water loan program.

(f) Have the lead state role with the federal environmental protection agency concerning the urban storm water loan program.

(g) Have the lead state role with local governmental units in providing urban storm water loan program information, and cooperate with the department of administration in providing that information to local governmental units.

(h) Inspect periodically urban storm water loan program project construction to determine project compliance with construction plans and specifications approved by the department and the requirements of the urban storm water loan program.

SECTION 2513. 281.60 (1) (a) of the statutes is amended to read:

281.60 **(1)** (a) "Eligible applicant" means a political subdivision, a redevelopment authority created under s. 66.431 or a housing authority.

SECTION 2514. 281.60 (1) (c) of the statutes is repealed.

SECTION 2515. 281.60 (2) of the statutes is amended to read:

281.60 **(2)** GENERAL. The department and the department of administration may administer a program to provide financial assistance to eligible applicants for projects to remedy environmental contamination of sites or facilities at which environmental contamination has affected groundwater or surface water or threatens to affect groundwater or surface water. The department and the department of administration may provide financial assistance under this section to an eligible applicant only if the eligible applicant owns the contaminated site or facility or, if the applicant is a political subdivision, if a redevelopment authority or a housing authority owns the contaminated site or facility. The department and the department of administration may not provide financial assistance under this section to remedy environmental contamination at a site or facility that is not a landfill if the eligible applicant caused the environmental contamination.

SECTION 2516. 281.60 (2r) (a) of the statutes is amended to read:

281.60 **(2r)** (a) Making loans ~~below the market interest rate~~ for projects described in sub. (2).

SECTION 2517. 281.60 (7) (c) of the statutes is amended to read:

281.60 **(7)** (c) The department of administration determines that the eligible applicant will meet the requirements of s. 281.59 (9) ~~(b)~~.

SECTION 2518. 281.60 (8s) of the statutes is created to read:

281.60 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the interest rate on the loan from market rate to the interest rate that would have been charged on a loan to the political subdivision under sub. (2r) (a).

SECTION 2519. 281.60 (11) of the statutes is amended to read:

281.60 **(11)** LOAN INTEREST ~~RATES~~. The 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 2521e. 281.65 (1) (d) of the statutes is amended to read:

281.65 **(1)** (d) Focus limited technical and financial resources in critical geographic locations ~~through the selection of priority lakes and priority watersheds~~ where nonpoint source related water quality problems and threats are the most severe and control is most feasible.

SECTION 2521f. 281.65 (4) (f) of the statutes is amended to read:

281.65 **(4)** (f) Administer the distribution of grants and aids to governmental units for local administration and implementation of the program under this section. A grant awarded under this section may be used for ~~technical assistance, educational and training assistance, ordi-~~

~~nance development and administration,~~ cost–sharing for management practices and capital improvements, ~~plan preparation under par. (g),~~ easements or other activities determined by the department to satisfy the requirements of this section. A grant may not be used for promotional items, except for promotional items that are used for informational purposes, such as brochures or videos.

SECTION 2521g. 281.65 (4) (g) (intro.) of the statutes is amended to read:

281.65 **(4)** (g) (intro.) In cooperation with the department of agriculture, trade and consumer protection and the appropriate governmental unit, prepare priority watershed and priority lakes plans to implement nonpoint source water pollution abatement projects ~~and storm water control activities described in sub. (8c)~~ in priority watersheds and priority lake areas. In preparing the plans, the department shall:

SECTION 2521i. 281.65 (4) (j) of the statutes is repealed.

SECTION 2521k. 281.65 (4) (pm) of the statutes is amended to read:

281.65 **(4)** (pm) Jointly with the department of agriculture, trade and consumer protection, develop the forms required and implement the process under s. 92.14 (14).

SECTION 2521m. 281.65 (4) (t) of the statutes is repealed.

SECTION 2521n. 281.65 (4c) (a) of the statutes is amended to read:

281.65 **(4c)** (a) ~~Beginning on July 1, 1998, a~~ A governmental unit may request funding under this subsection for a project that is in a priority watershed ~~project, a~~ or priority lake ~~project~~ area or a ~~nonpoint source water pollution abatement~~ project that is not in a priority watershed or a priority lake area by submitting an application to the ~~board~~ department. An application shall be submitted before July 15 to be considered for initial funding in the following year.

SECTION 2521ne. 281.65 (4c) (ae) of the statutes is created to read:

281.65 **(4c)** (ae) The department shall administer this subsection in a manner that promotes the accelerated implementation of nonpoint source water pollution control that cannot be conducted with funding under s. 92.14 in target areas described in par. (am) 1. that are of the highest priority.

SECTION 2521nm. 281.65 (4c) (am) of the statutes is created to read:

281.65 **(4c)** (am) The department may select a project for funding under this subsection only if all of the following apply:

1. The project will implement nonpoint source pollution control in an area that is a target area based on any of the following:

a. The need for compliance with performance standards established by the department under s. 281.16 (2).

b. The existence of impaired water bodies that the department has identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

c. The existence of outstanding or exceptional resource waters, as designated by the department under s. 281.15.

d. The existence of threats to public health.

e. The existence of an animal feeding operation that has received a notice of discharge under ch. 283 or a notice of intent to issue a notice of discharge.

f. Other water quality concerns of national or statewide importance.

2. The project cannot be conducted with funding provided under s. 92.14.

3. The project is consistent with priorities identified by the department on a watershed or other geographic basis.

4. The project is consistent with approved land and water resource management plans under s. 92.10.

5. The application for the project specifies the watershed, subwatershed or specific site that will be served by the project.

SECTION 2521np. 281.65 (4c) (b) of the statutes is amended to read:

281.65 **(4c)** (b) The department~~, in consultation with the department of agriculture, trade and consumer protection,~~ shall use the system ~~approved~~ under par. ~~(e)~~ (d) to determine the score of each project for which ~~the board~~ it receives an application under par. (a) and shall inform the land and water conservation board of the scores no later than September 1 of each year.

SECTION 2521nr. 281.65 (4c) (c) of the statutes is amended to read:

281.65 **(4c)** (c) After ~~receiving~~ determining project scores under par. (b) ~~and before~~, the department shall notify the land and water conservation board of the projects that the department proposes to select for funding in the following year. The board shall review the proposal and make recommendations to the department. Before November 1 of each year, the ~~board~~ department shall select projects for funding under this ~~section~~ subsection in the following year. To the extent practicable, within the requirements of this section, the ~~board~~ department shall select projects so that projects are distributed evenly around this state.

SECTION 2521nt. 281.65 (4c) (d) (intro.) of the statutes is amended to read:

281.65 **(4c)** (d) (intro.) ~~No later than April 1, 1998, the~~ The department~~, in consultation with the department of agriculture, trade and consumer protection,~~ shall ~~propose to the board~~ adopt a scoring system for ranking nonpoint source water pollution abatement projects for which applications are submitted under par. (a). The criteria on which the scoring system is based shall include all of the following:

SECTION 2521nv. 281.65 (4c) (e) of the statutes is repealed.

SECTION 2521p. 281.65 (4c) (f) of the statutes is created to read:

281.65 **(4c)** (f) A project funded under this subsection may be conducted over a period of one to 3 years, except that the department may approve an extension for one year.

SECTION 2521q. 281.65 (4e) of the statutes is repealed.

SECTION 2524m. 281.65 (8) (e) of the statutes is amended to read:

281.65 **(8)** (e) ~~Except as provided in sub. (8c), grants~~ Grants may only be used for implementing best management practices. Grants for implementing best management practices may only be used for implementing cost–effective best management practices specified under sub. (4) (e) unless an applicant demonstrates that the use of a cost–effective best management practice will not contribute to water quality improvement or will cause a water body to continue to be impaired as identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

SECTION 2524s. 281.65 (8) (k) of the statutes is repealed.

SECTION 2525. 281.65 (8) (L) of the statutes is amended to read:

281.65 **(8)** (L) A grant may not be made to an individual ~~if the department receives a certification under s. 49.855 (7) that the individual is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses~~ whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the individual provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 2525e. 281.65 (8c) of the statutes is repealed.

SECTION 2525f. 281.65 (8d) of the statutes is renumbered 281.66 (6) and amended to read:

281.66 **(6)** GRANTS FOR CAMPUSES. ~~The~~ Notwithstanding subs. (3) and (4), the department may distribute a grant to the board of regents of the University of Wisconsin System for practices, techniques or measures to control storm water discharges on a University of Wisconsin System campus that is located in a municipality that is required to obtain a permit under s. 283.33 and that is located in a priority watershed ~~area~~, as defined in s. 281.65 (2) (c), a priority lake area, as defined in s. 281.65 (2) (bs), or an area that is identified as an area of concern by the International Joint Commission, as defined in s. 281.35 (1) (h), under the Great Lakes Water Quality Agreement.

SECTION 2525g. 281.66 of the statutes is created to read:

281.66 Urban nonpoint source water pollution abatement and storm water management program. **(1)** DEFINITIONS. In this section:

(a) "Governmental unit" has the meaning given in s. 281.65 (2) (am).

(b) "Nonpoint source" has the meaning given in s. 281.65 (2) (b).

(c) "Population" means population shown by the last federal census or by any subsequent population estimate under s. 16.96.

(d) "Structural urban best management practices" has the meaning given in s. 281.65 (2) (d).

(e) "Urban area" means any of the following:

1. An area with a population of 1,000 or more per square mile.

2. An area in which the land is used for industrial or commercial land uses.

3. An area that is surrounded by an area described in subd. 1. or 2.

(2) ADMINISTRATION. The department shall administer the program under this section in a manner that promotes all of the following:

(a) Management of urban storm water and runoff from existing and developing urban areas to achieve water quality standards, to minimize flooding and to protect groundwater.

(b) Coordination of urban nonpoint source management activities and the municipal storm sewer discharge permit program under s. 283.33.

(c) Implementation of nonpoint source performance standards under s. 281.16 (2).

(3) ELIGIBILITY. (a) The department may provide a cost–sharing grant for a project under this section only if all of the following apply:

1. The project is in an urban area.

2. The governmental unit with jurisdiction over the project area ensures adequate implementation of construction site pollution control, and of storm water management after development, for development and redevelopment of sites of one or more acres.

3. The project is consistent with nonpoint source performance standards under s. 281.16 (2).

4. The project is consistent with priorities identified by the department on a watershed or other geographic basis.

5. The application for the project specifies the watershed, subwatershed or specific site that will be served by the project.

(b) The department may provide financial assistance under this section for a project in a governmental unit either to that governmental unit or to another governmental unit that is required to control storm water discharges under s. 283.33.

(4) FINANCIAL ASSISTANCE. (a) The department may provide local assistance grants and cost–sharing grants under this section. A local assistance grant may not

exceed 70% of eligible costs. A cost–sharing grant may not exceed 50% of eligible costs.

(b) The department may award a local assistance grant for any of the following:

1. Storm water management for urban areas and for areas that are expected to become urban areas within 20 years.

2. Informational and educational activities related to nonpoint source water pollution control, construction site erosion control or storm water management.

3. Development, administration and enforcement of a construction site erosion control or storm water management ordinance.

4. Training of staff concerning nonpoint source water pollution control, construction site erosion control or storm water management.

5. Other activities identified by the department by rule.

(c) The department may award a cost–sharing grant for any of the following types of projects:

1. Structural urban best management practices, including necessary land acquisition, storm sewer rerouting and removal of structures, and associated flood management, except that the department may not award a grant for structural urban best management practices associated with new construction or new development.

2. Stream bank or shoreland stabilization necessary to control pollution.

3. Other nonpoint source water pollution abatement or storm water management practices identified by the department by rule.

(5) SCORING SYSTEM. The department shall use a scoring system for ranking nonpoint source water pollution abatement and storm water management projects for which applications are submitted under this section. The criteria on which the scoring system is based shall include all of the following:

(a) The extent to which the application proposes to use the cost–effective and appropriate practices to achieve water quality goals.

(b) The existence in the project area of an impaired water body that the department has identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

(c) The extent to which the project will result in the attainment of established water quality objectives.

(d) The local interest in and commitment to the project.

(e) The inclusion of a strategy to evaluate the progress toward reaching project goals, including the monitoring of water quality improvements resulting from project activities.

(f). The extent to which the application proposes to use available federal funding.

(g). The extent to which the project is necessary to enable the city of Racine to control storm water discharges as required under 33 USC 1342 (p).

SECTION 2525r. 281.665 of the statutes is created to read:

281.665 Municipal flood control and riparian restoration program. (1) DEFINITIONS. In this section:

(a) "Conservation easement" has the meaning given in s. 700.40 (1) (a).

(b) "Local governmental unit" means a city, village, town or metropolitan sewerage district.

(2) ADMINISTRATION. The department shall administer the program under this section to provide financial assistance to local governmental units for facilities and structures for the collection and transmission of storm water and groundwater, including the purchase of perpetual flowage and conservation easement rights on land within floodways, and for the floodproofing of public and private structures that remain in the 100–year floodplain.

(3) ELIGIBLE APPLICANTS. (a) The department may provide a cost–sharing grant for a project that affects 2 or more local governmental units to one of the following:

1. One of the affected local governmental units upon application by all of the affected local governmental units.

2. A local governmental unit that has jurisdiction over the provision of storm water collection facilities for all of the affected local governmental units.

(c) The department may provide a cost–sharing grant for a project that affects one local governmental unit to that local governmental unit.

(4) FINANCIAL ASSISTANCE. (a) The department may provide local assistance grants and cost–sharing grants under this section. A local assistance grant may not exceed 70% of eligible costs, including planning and design costs. A cost–sharing grant may not exceed 70% of eligible costs for construction and real estate acquisition.

(b) In any fiscal year, the department may not provide to any applicant more than 20% of the funding available under this section in the fiscal year.

(5) ELIGIBILITY AND SCORING CRITERIA. (a) The department shall promulgate rules specifying eligibility criteria for projects under this section and for determining which eligible projects will receive financial assistance under this section.

(b) The department may not provide a cost–sharing grant for a project under this section if any of the following applies:

1. The project would transfer flooding downstream.

2. The project provides for the channelization of a stream or for lining a natural stream bed with concrete.

3. The project would accelerate upstream runoff.

(c) The department shall include all of the following in the criteria for determining which eligible projects will receive cost–sharing grants under this section:

1. The extent to which a project minimizes harm to existing beneficial functions of water bodies and wetlands.

2. The extent to which a project maintains aquatic and riparian environments.

3. The extent to which a project uses storm water retention and detention structures and natural storage.

4. The extent to which a project provides opportunity for public access to water bodies and to the floodway.

SECTION 2526. 281.68 (1) (intro.) of the statutes is amended to read:

281.68 **(1)** DEFINITIONS. (intro.) In this section~~, "qualified~~:

(b) "Qualified lake association" means a group incorporated under ch. 181 that meets all of the following conditions:

SECTION 2527. 281.68 (1) (a) to (h) of the statutes are renumbered 281.68 (1) (b) 1. to 8.

SECTION 2528. 281.68 (1) (ag) of the statutes is created to read:

281.68 **(1)** (ag) "Lake" includes a flowage.

SECTION 2529. 281.68 (1m) of the statutes is amended to read:

281.68 **(1m)** PURPOSES OF GRANTS. The department shall develop and administer a financial assistance program to provide lake management planning grants for projects to provide information and education on the use of lakes and natural lake ecosystems and on the quality of water in lakes~~, including mill ponds, in order to~~ and the quality of natural lake ecosystems.

(1r) USES OF GRANTS. Lake management planning grants shall be used to improve water quality assessment and planning and to aid in the selection of activities to ~~abate~~ do any of the following:

(a) Prevent pollution ~~of~~ from entering into lakes or into natural lake ecosystems.

SECTION 2530. 281.68 (1r) (b) of the statutes is created to read:

281.68 **(1r)** (b) Protect or improve the quality of water in lakes or the quality of natural lake ecosystems.

SECTION 2531. 281.68 (2) (title) of the statutes is created to read:

281.68 **(2)** (title) AMOUNT OF GRANTS.

SECTION 2532. 281.68 (3) (title) of the statutes is created to read:

281.68 **(3)** (title) RULES FOR GRANTS.

SECTION 2533. 281.68 (3) (b) of the statutes is renumbered 281.68 (3) (b) (intro.) and amended to read:

281.68 **(3)** (b) (intro.) Eligible activities, which shall include ~~data~~ all of the following for lakes and natural lake ecosystems:

1. Data collection~~, water quality assessment and nonpoint~~.

4. Nonpoint source pollution evaluation.

SECTION 2534. 281.68 (3) (b) 2. of the statutes is created to read:

281.68 **(3)** (b) 2. Assessments of water quality and of fish and aquatic life and their habitat.

SECTION 2535. 281.68 (3) (b) 3. of the statutes is created to read:

281.68 **(3)** (b) 3. Assessments of the uses of a lake and the uses of the land surrounding the lake.

SECTION 2536. 281.68 (3) (b) 5. of the statutes is created to read:

281.68 **(3)** (b) 5. Informational or educational programs and materials.

SECTION 2537. 281.68 (4) (title) of the statutes is created to read:

281.68 **(4)** (title) ELIGIBILITY FOR LAKE MANAGEMENT PLANNING GRANTS.

SECTION 2538. 281.69 (title) of the statutes is amended to read:

281.69 (title) **Lake management and classification grants and contracts.**

SECTION 2539. 281.69 (1) (intro.) of the statutes is renumbered 281.69 (1m) (intro.) and amended to read:

281.69 **(1m)** TYPES OF PROJECTS. (intro.) The department shall develop and administer a financial assistance program to provide grants for the following ~~3~~ 2 types of projects:

SECTION 2540. 281.69 (1) (a) of the statutes is renumbered 281.69 (1m) (a) and amended to read:

281.69 **(1m)** (a) Lake management projects that will improve or protect the quality of water in lakes or the quality of natural lake ecosystems ~~of lakes~~.

SECTION 2541. 281.69 (1) (b) of the statutes is renumbered 281.69 (1m) (b).

SECTION 2542. 281.69 (1) (c) of the statutes is renumbered 281.69 (1r) and amended to read:

281.69 **(1r)** CONTRACTS. ~~Lake~~ The department may award contracts for lake classification technical assistance projects to be conducted by nonprofit corporations that will provide educational and technical assistance.

SECTION 2543. 281.69 (1b) of the statutes is created to read:

281.69 **(1b)** DEFINITION. In this section, "lake" includes a flowage.

SECTION 2544. 281.69 (2) (title) of the statutes is amended to read:

281.69 **(2)** (title) AMOUNTS OF GRANTS AND CONTRACTS.

SECTION 2545. 281.69 (2) (c) of the statutes is amended to read:

281.69 **(2)** (c) A ~~grant~~ contract for a lake classification technical assistance project may not exceed $200,000.

SECTION 2546. 281.69 (3) (a) of the statutes is amended to read:

281.69 **(3)** (a) A designation of eligible recipients, which shall include nonprofit conservation organizations, as defined in s. 23.0955 (1), counties, cities, towns, villages, qualified lake associations, as defined in s. 281.68 (1) (b), town sanitary districts, public inland lake protection and rehabilitation districts and other local governmental units, as defined in s. 66.299 (1) (a), that are established for the purpose of lake management.

SECTION 2547. 281.69 (3) (b) 1. of the statutes is amended to read:

281.69 **(3)** (b) 1. The purchase of land or of a conservation easement, as defined in s. 700.40 (1) (a), if the eligible recipient enters into a contract under ~~sub. (4)~~ s. 281.71 and if the purchase will substantially contribute to the protection or improvement of a lake's water quality or its natural ecosystem.

SECTION 2548. 281.69 (4) of the statutes is renumbered 281.71, and 281.71 (title), (1) (intro.) and (d), (2) (intro.) and (b), (3) and (5), as renumbered, are amended to read:

281.71 (title) **Lake management project grants; river protection grants; purchases. (1)** (intro.) In order to receive a grant for a purchase under ~~sub.~~ s. 281.69 (3) (b) 1. or 281.70 (5) (c) 1., the recipient shall enter into a contract with the department that contains all of the following provisions:

(d) A clause that any subsequent sale or transfer of the property to be acquired is subject to ~~pars. (b) and (c)~~ subs. (2) and (3).

(2) (intro.) The recipient of the grant used for a purchase under ~~sub.~~ s. 281.69 (3) (b) 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property to a 3rd party other than a creditor of the recipient if all of the following apply:

(b) The party to whom the property is sold or transferred enters into a new contract with the department that contains the provisions under ~~par. (a)~~ sub. (1).

(3) The recipient of the grant used for a purchase under ~~sub.~~ s. 281.69 (3) (b) 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property to satisfy a debt or other obligation if the department approves the sale or transfer.

(5) The instrument conveying the property to the recipient shall state the interest of the state under ~~par. (d)~~ sub. (4). The contract entered into under ~~par. (a)~~ sub. (1) and the instrument of conveyance shall be recorded in the office of the register of deeds of each county in which the property is located.

SECTION 2549. 281.69 (6) (a) of the statutes is repealed.

SECTION 2550. 281.69 (6) (b) of the statutes is renumbered 281.69 (6) and amended to read:

281.69 **(6)** LAKE CLASSIFICATION TECHNICAL ASSISTANCE ~~GRANTS~~ CONTRACTS. A nonprofit corporation receiving a lake classification technical assistance ~~grant~~ contract shall provide educational and technical assistance to local units of government and lake management organizations that will participate in a lake classification project.

SECTION 2551. 281.70 of the statutes is created to read:

281.70 River protection grants. (1) DEFINITION. In this section, "river" includes a stream or a flowage.

(2) TYPES OF PROJECTS. The department shall develop and administer a financial assistance program to provide grants for planning projects and management projects.

(3) AMOUNTS OF GRANTS. (a) A grant for a planning project may be made for up to 75% of the cost of the project but may not exceed $10,000 per grant.

(b) A grant for a management project may be made for up to 75% of the cost of the project but may not exceed $50,000 per grant.

(4) ELIGIBLE RECIPIENTS. (a) All of the following shall be eligible for grants under this section:

1. Local governmental units, as defined in s. 66.299 (1) (a).

2. River management organizations that meet the qualifications under par. (b).

3. Nonprofit conservation organizations, as defined in s. 23.0955 (1).

(b) The department shall promulgate rules to establish the qualifications that a river management organization must meet to qualify for a grant under this section.

(5) ELIGIBLE ACTIVITIES. The department shall promulgate rules to do all of the following:

(a) Designate activities that are eligible for grants for planning projects. Eligible activities under the rules for these grants shall include all of the following:

1. Data collection.

2. Assessments of water quality and of fish and aquatic life and their habitat.

3. Assessments of the uses of a river and the uses of the land surrounding the river.

4. Nonpoint source pollution evaluation.

5. Informational or educational programs and materials as specified in par. (b).

6. Programs and materials to assist persons in forming river management organizations or other groups to protect or improve rivers and natural riverine ecosystems.

(b) For purposes of par. (a) 5., specify informational or educational materials that may be provided on any of the following:

1. Protecting or improving the ways in which rivers are used.

2. Protecting or improving the quality of water in rivers.

3. Protecting or improving the quality of natural riverine ecosystems.

4. Protecting or improving fish populations, aquatic life or fish habitat in rivers.

(c) Designate activities that are eligible for grants for management projects. Eligible activities under the rules for these grants shall include all of the following:

1. The purchase of land or of a conservation easement, as defined in s. 700.40 (1) (a) if the recipient enters into a contract under s. 281.71 and if the purchase will substantially contribute to the protection or improvement of the river's water quality or its natural ecosystem.

2. The restoration of in–stream or shoreline habitat.

3. The development of local regulations or ordinances that will protect or improve the river's water quality or its natural ecosystem.

4. An activity that is approved by the department and that is needed to implement a recommendation made as a result of a plan to protect or improve the river's water quality or its natural ecosystem.

5. Installation of pollution control practices.

(6) ELIGIBILITY; TYPES OF RIVERS. The department shall promulgate rules establishing the types of natural riverine ecosystems that are eligible for grants under this section.

(7) ELIGIBILITY; OTHER. At the completion of a planning project, upon request of the recipient of the grant for the planning project, the department may approve as eligible activities for a management project grant the recommendations that were made as a result of the project.

SECTION 2551m. 281.72 of the statutes is created to read:

281.72 River protection; contracts with nonprofit organizations. (1) DEFINITION. In this section, "nonprofit conservation organization" means a river management organization that meets the qualifications under s. 281.70 (4) (b) or a nonprofit corporation, a charitable trust or other nonprofit association whose purposes include the protection of rivers and that is described in section 501 (c) (3) of the Internal Revenue Code and is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

(2) REQUIREMENTS TO RECEIVE CONTRACTS. The department shall provide contracts to nonstock, nonprofit corporations that are described under section 501 (c) (3) or (4) of the Internal Revenue Code and that are organized in this state. For a nonstock, profit corporation to qualify for a contract, the corporation shall meet all of the following requirements:

(a) The corporation is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) The corporation provides support to nonprofit conservation organizations.

(c) The corporation has a board of directors that has a majority of members who are representatives of nonprofit conservation organizations.

(d) The corporation contributes, to be used with the contract, $1 for every $3 it receives under the contract.

(3) REQUIREMENTS UNDER CONTRACTS. A corporation receiving a contract under this subsection shall do all of the following:

(a) Assist in the establishment of nonprofit conservation organizations.

(b). Provide technical assistance to nonprofit conservation organizations.

(c) Conduct conferences on topics for which technical assistance is provided under par. (b).

SECTION 2554. 285.01 (40) of the statutes is amended to read:

285.01 **(40)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

SECTION 2554e. 285.11 (18) of the statutes is created to read:

285.11 **(18)** Adopt and apply objective performance measurements, for the subunit of the department that administers this chapter, relating to the issuance of permits under subch. VII and to overall performance of the subunit.

SECTION 2554f. 285.17 (3) of the statutes is created to read:

285.17 **(3)** The department may not post on the Internet any information that is required to be reported to the department under this chapter and that relates to a facility's air emissions, including the nature and duration of specific emissions of an air contaminant source and any results of monitoring the emissions of a contaminant source or the ambient air in the vicinity of a contaminant source, unless the department certifies that the information is accurate on the date on which the information is posted.

SECTION 2554j. 285.48 of the statutes is created to read:

285.48 Nitrogen oxide emissions reductions. (1) DEFINITIONS. In this section:

(a) "Call" means a call to implement a state implementation plan that is issued by the federal environmental protection agency before the effective date of this paragraph .... [revisor inserts date], or after that date arising out of a call issued before that date, including a call

issued after that date pursuant to a federal court order or otherwise.

(b) "Electric cooperative" has the meaning given in s. 76.48 (1g) (c).

(c) "Midcontinent area" has the meaning given in s. 16.958 (1) (e).

(d) "Northwestern county" means Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse, Monroe, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vernon or Washburn county.

(e) "Other county" means a county that is not a northwestern county.

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

(g) "State implementation plan" means a state implementation plan for control of atmospheric ozone in another state.

(h) "Summer" means the period beginning on May 1 and ending on September 30 of each year.

(2) APPLICABILITY. This section applies if the department of natural resources, pursuant to a call, issues a state implementation plan that requires electric generating facilities in the midcontinent area of this state to comply with nitrogen oxide emission reduction requirements. If the department of natural resources issues such a plan, the department of natural resources shall notify the department of administration and the public service commission. The notice shall specify the date on which electric generating facilities in the midcontinent area of this state are required to comply with the initial nitrogen oxide emission reduction requirements.

(3) NITROGEN OXIDE EMISSIONS STANDARDS AND LIMITATIONS. (a) In establishing nitrogen oxide emission reduction requirements for the control of atmospheric ozone in another state pursuant to a call, the department may not, in a state implementation plan, by rule or through the adoption of control strategies, establish nitrogen oxide emissions standards or limitations that do any of the following:

1. Require less than 2,234 tons, or the greater number of tons determined under par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating facilities located in northwestern counties that are owned by electric cooperatives.

2. Require less than 315 tons, or the greater number of tons determined under par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating facilities located in northwestern counties that are owned by public utilities.

3. Require less than 15,157 tons, or the greater number of tons determined under par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating facilities located in other counties owned by public utilities or electric cooperatives.

(b) The department shall issue emissions allowances in a number that is sufficient to allow the emissions specified in par. (a).

(c) The department may not, based on this section, require reductions of nitrogen oxide emissions that are in addition to any reductions required in a state implementation plan from any of the following:

1. Any stationary source located in this state that is not an electric generating facility owned by a public utility or electric cooperative.

2. Any mobile source.

(d) If the department of natural resources implements a state implementation plan specified in sub. (2) in a manner that requires reductions in nitrogen oxide emissions that are lower than the reductions set forth in the call published on October 27, 1998, the department of natural resources shall do each of the following:

1. Determine the amounts by which the number of tons specified in par. (a) 1., 2. and 3. shall be increased to reflect the lower reductions.

2. Take action that is necessary to relax any related emissions control requirements in a manner that reflects the lower reductions.

3. Determine the amount by which the $2,400,000 in assessments under s. 196.86 (2) shall be decreased to reflect the lower reductions and provide notice of the decreased amount to the public service commission.

4. Determine the amount by which the $2,500,000 that is transferred to the air quality improvement fund under s. 16.958 (2) (a) shall be decreased to reflect the lower reductions and provide notice of the decreased amount to the department of administration.

(4) LOW–INCOME WEATHERIZATION AND ENERGY CONSERVATION MEASURES; RENEWABLE ENERGY USES. The department shall ensure that at least 866 tons of total annual reductions in nitrogen oxide emissions required under the state implementation plan are achieved through any of the following:

(a) The use of renewable energy, including renewable energy that is provided by electric providers for the purpose of complying with the requirements of s. 196.378 (2) (a), or renewable energy that is used under programs specified in s. 196.374 (2) (d) that are funded by expenditures under s. 196.374 (3).

(b) The implementation of low–income weatherization and energy conservation measures, including programs established under s. 16.957 (2) (a) or (b) or programs specified in s. 196.374 (2) (a) or (b) that are funded by expenditures under s. 196.374 (3).

285.49 Trading program for nitrogen oxide emissions credits. The department shall establish or authorize air contaminant sources to participate in a market–based trading program for the purchase, sale and transfer of nitrogen oxide emissions credits for use in any state implementation plan under s. 285.11 (6) that requires

reductions in nitrogen oxide emissions. To the extent allowed under federal law, the department shall allow nitrogen oxide emissions reductions by any source in this state, regardless of whether the source is subject to nitrogen oxide controls under a state implementation plan, to be purchased, sold or transferred under the trading program.

SECTION 2555n. 285.69 (2) (a) 1. of the statutes is amended to read:

285.69 **(2)** (a) 1. That fees collected in a year before 2002 are based on actual emissions of all regulated pollutants and any other air contaminant specified by the department in the rules in the preceding year.

SECTION 2555q. 285.69 (2) (a) 4. of the statutes is amended to read:

285.69 **(2)** (a) 4. That the fees collected in each year after 1994 and before 2002 are calculated by increasing the fees collected in the preceding year by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), increased in the preceding year.

SECTION 2555s. 285.69 (2) (a) 5. of the statutes is amended to read:

285.69 **(2)** (a) 5. That fees are not based on emissions by an air contaminant source in excess of ~~4,000~~ 5,000 tons per year of each regulated pollutant, except that, subject to par. (b), this limitation does not apply to a major utility, as defined in s. 285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of 42 USC 7651c.

SECTION 2555u. 285.69 (2) (a) 7. to 11. of the statutes are created to read:

285.69 **(2)** (a) 7. That the fees billed for a stationary source in each year after 2001 are based on the fees billed for the stationary source in 2001.

8. That the fee billed for each stationary source in each year after 2001 is based on the actual emissions of all regulated pollutants, and any other air contaminant specified by the department in the rules, in the preceding 5 years, using a 5–year rolling average.

9. That fees billed in years after 2001 are determined using a performance–based approach that increases a stationary source's fees in proportion to increases in the amount of pollutants emitted by the stationary source, as determined under subd. 8., and decreases a stationary source's fees in proportion to decreases in the amount of pollutants emitted by the stationary source, as determined under subd. 8.

10. That no multiplier or similar mechanism is used that would increase a stationary source's fees to compensate for decreases in overall amounts of emissions.

11. That no provision is used that would increase the fee per unit of pollutant emitted in order to compensate for decreases in overall amounts of emissions.

SECTION 2555w. 285.69 (2) (b) of the statutes is amended to read:

285.69 **(2)** (b) The department may not charge a major utility fees on emissions in excess of ~~4,000~~ 5,000 tons per year of each regulated pollutant beyond the amount necessary to recover the fees that would have been charged for any phase I affected unit listed in Table A of 42 USC 7651c owned by that major utility if the prohibition in par. (a) 6. did not exist.

SECTION 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 2557c. 285.69 (2) (e) of the statutes is created to read:

285.69 **(2)** (e) Beginning in 2001, the owner or operator of a stationary source for which an operation permit is required shall pay to the department an annual fee of $2.86 per ton of actual emissions in the preceding year of all air contaminants on which the fee under par. (a) is based. **Vetoed In Part**

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 2560e. 287.23 (3) (a) of the statutes is repealed and recreated to read:

287.23 **(3)** (a) Subject to par. (am), a responsible unit is eligible for assistance under this section for a year before 2000 if the responsible unit has been determined under s. 287.11 to have an effective recycling program.

SECTION 2560f. 287.23 (3) (ac) of the statutes is created to read:

287.23 **(3)** (ac) Subject to par. (am), a responsible unit is eligible for assistance under this section for 2000 if the responsible unit received assistance under this section for 1999 and the responsible unit has been determined under s. 287.11 to have an effective recycling program.

SECTION 2560g. 287.23 (3) (ae) of the statutes is created to read:

287.23 **(3)** (ae) Subject to par. (am), a responsible unit is eligible for assistance under this section for a year after 2000 if the responsible unit has been determined under s. 287.11 to have an effective recycling program and one of the following applies:

Vetoed In Part

1. The responsible unit has a residential collection program that serves 50% or more of the population of the responsible unit, that collects, at least monthly, newspaper, corrugated paper, magazines, aluminum containers, steel containers, containers made of polyethylene terephthalate and high–density polyethylene and glass containers and that is operated by the responsible unit under a contract, franchise license or ordinance that requires at least monthly collection of these materials.

Vetoed In Part

2. The responsible unit has a drop–off program, that serves more than 50% of the population of the responsible unit, for collecting newspaper, corrugated paper, magazines, aluminum containers, steel containers, containers made of polyethylene terephthalate and high–density polyethylene and glass containers taken by individuals to a drop–off site that is owned by the responsible unit or is provided under a contract with another person and that is adequate in size and hours of operation to meet the needs of the responsible unit.

Vetoed In Part

SECTION 2560h. 287.23 (3) (ag) of the statutes is created to read:

287.23 **(3)** (ag) The department shall determine the population served by a residential collection program for the purposes of par. (ae) 1. and sub. (5d) (b) based on information provided by the responsible unit for the year 2 years before the year for which the department is determining the responsible unit's eligibility.

SECTION 2560i. 287.23 (5) (intro.) of the statutes is amended to read:

287.23 **(5)** GRANT AWARD FOR YEARS BEFORE 2000. (intro.) ~~The~~ For years before 2000, the department shall award a grant under this subsection to each eligible responsible unit that submits a complete grant application under sub. (4) for expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p), the amount of the grant under this subsection shall be determined as follows:

SECTION 2562e. 287.23 (5b) of the statutes is created to read:

287.23 **(5b)** GRANT AWARD FOR 2000. For 2000, the department shall award a grant under this subsection to each eligible responsible unit that submits a complete grant application under sub. (4) for expenses allowable under sub. (3) (b). The department shall determine the amount of the grants under this subsection as follows: **Vetoed In Part**

(a) Determine the total amount that would have been awarded under this section for 1999 if no grants had been reduced under sub. (5p).

(b) Determine the amount that each responsible unit received under this section for 1999 or, for a responsible unit that had its grant for 1999 reduced under sub. (5p), the amount that the responsible unit would have received if its grant had not been reduced. **Vetoed In Part**

(c) Award to a responsible unit the proportion of the total amount available for grants under this section for 2000 that is equal to the proportion of the amount determined under par. (a) that the responsible unit received, or would have received, for 1999 as determined under par. (b). **Vetoed In Part** **Vetoed In Part**

SECTION 2562m. 287.23 (5d) of the statutes is created to read: **Vetoed In Part**

287.23 **(5d)** GRANT AWARD FOR YEARS AFTER 2000. (a) Beginning with grants for the year 2001, the department shall award a grant under this subsection to each eligible responsible unit that submits a complete grant application under sub. (4) for expenses allowable under sub. (3) (b).

(b) Except as provided in par. (c) or (d) or sub. (5p), the department shall award an eligible responsible unit a grant under this subsection equal to $7.90 times the population of the responsible unit if the responsible unit has a residential collection program that complies with sub. (3) (ae) 1. and the department shall award an eligible responsible unit a grant equal to $4.40 times the population of the responsible unit if the responsible unit has a drop–off program that complies with sub. (3) (ae) 2.

(c) A grant to a responsible unit under this subsection may not exceed the allowable expenses under sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for which the grant is made.

(d) If the available funds are insufficient to pay the grant amounts determined under pars. (b) and (c), the department shall prorate the available funds.

SECTION 2563dt. 287.23 (5p) (a) of the statutes is amended to read:

287.23 **(5p)** (a) If a responsible unit submits its application under sub. (4) after October 1 but no later than October 10, the amount of the responsible unit's grant is 95% of the amount determined under sub. (5), (5d) or (5m).

Vetoed In Part

SECTION 2563ed. 287.23 (5p) (b) of the statutes is amended to read:

287.23 **(5p)** (b) If a responsible unit submits its application under sub. (4) after October 10 but no later than October 20, the amount of the responsible unit's grant is 90% of the amount determined under sub. (5)**.** (5d) or (5m).

SECTION 2563eh. 287.23 (5p) (c) of the statutes is amended to read:

287.23 **(5p)** (c) If a responsible unit submits its application under sub. (4) after October 20 but no later than October 30, the amount of the responsible unit's grant is 75% of the amount determined under sub. (5)**.** (5d) or (5m).

SECTION 2563ep. 287.23 (5s) of the statutes is repealed.

SECTION 2563er. 287.23 (6) of the statutes is amended to read:

287.23 **(6)** DISBURSEMENT. The department shall disburse ~~50% of~~ a grant to the applicant ~~upon~~ after approval, but no later than ~~February~~ June 1 of the year for which the grant is made.

SECTION 2563et. 287.23 (7) of the statutes is repealed.

SECTION 2565c. 287.40 (title) and (intro.) of the statutes are repealed.

SECTION 2565d. 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

SECTION 2565e. 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

SECTION 2565f. 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and amended to read:

560.031 **(1)** (c) "Recovered material" means a material ~~specified by the board under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

SECTION 2565g. 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and amended to read:

560.031 **(1)** (e) "Waste generator" means a person who generates solid waste ~~that contains a material specified by the board under s. 287.42 (5)~~ or a responsible unit.

SECTION 2565h. 287.41 of the statutes is repealed.

SECTION 2565i. 287.42 of the statutes is repealed.

SECTION 2565j. 287.44 of the statutes is repealed.

SECTION 2565k. 287.46 of the statutes is repealed.

SECTION 2565L. 287.48 of the statutes is repealed.

SECTION 2568. 289.01 (33) of the statutes is amended to read:

289.01 **(33)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

SECTION 2569h. 289.54 of the statutes is created to read:

289.54 Disposal of certain dredged materials. (1) In this section, "PCBs" has the meaning given in s. 299.45 (1) (a).

(2) The department may not approve a request by the operator of a solid waste disposal facility to accept dredged materials that contain PCBs or heavy metals in a concentration of less than 50 parts per million for disposal in the solid waste disposal facility until after the department holds a public meeting in the city, village or town in which the solid waste disposal facility is located. At the public meeting, the department shall describe the nature of the requested disposal and shall solicit public comment.

SECTION 2569k. 289.645 of the statutes is created to read:

289.645 Recycling fee. (1) IMPOSITION OF RECYCLING FEE ON GENERATORS. Except as provided under sub. (4), a generator of solid waste or hazardous waste shall pay a recycling fee for each ton or equivalent volume of solid waste or hazardous waste that is disposed of at a licensed solid waste or hazardous waste disposal facility. If a person arranges for collection or disposal services on behalf of one or more generators, that person shall pay the recycling fee to the licensed solid waste or hazardous waste disposal facility or to any intermediate hauler used to transfer wastes from collection points to a licensed facility. An intermediate hauler who receives the recycling fee under this subsection shall pay the fee to the licensed solid waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be calculated in the same manner as the calculation made for tonnage fees under s. 289.62 (1).

(2) COLLECTION. The owner or operator of a licensed solid waste or hazardous waste disposal facility shall collect the recycling fee from the generator, a person who arranges for disposal on behalf of one or more generators or an intermediate hauler and shall pay to the department the amount of the fee required to be collected according to the amount of solid waste or hazardous waste received and disposed of at the facility during the preceding reporting period.

(3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is as follows:

(a) For all solid waste other than high–volume industrial waste, $2 per ton. **Vetoed In Part**

(b) For all high–volume industrial waste, 30 cents per ton. **Vetoed In Part**

(4) EXEMPTIONS FROM RECYCLING FEE. (a) Solid waste materials approved by the department for lining,

daily cover or capping or for constructing berms, dikes or roads within a solid waste disposal facility are not subject to the recycling fee imposed under sub. (1), except that materials approved for use under s. 289.30 (5) or 289.31 (9) are subject to the fee.

(b) Except as provided in par. (c), the recycling fee does not apply to waste generated by 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, that derives a portion of its income from the operation of recycling and reuse programs and that does one of the following:

1. Provides services and programs for people with disabilities.

2. Primarily serves low–income persons.

(c) Waste generated by an organization described in par. (b) which is commingled with waste generated by a person other than an organization described in par. (b) is subject to the fee.

(5) PAYMENT. The owner or operator of any licensed solid or hazardous waste disposal facility shall pay the recycling fee required to be collected under sub. (2) as follows:

(a) For waste disposed of from January 1 to March 31, no later than May 1.

(b) For waste disposed of from April 1 to June 30, no later than August 1.

(c) For waste disposed of from July 1 to September 30, no later than November 1.

(d) For waste disposed of from October 1 to December 31, no later than February 1.

(6) USE OF RECYCLING FEES. The fees collected under sub. (2) shall be deposited in the recycling fund.

(7) FAILURE TO PAY RECYCLING FEE. (a) If a person required under sub. (1) to pay the recycling fee to a licensed solid waste or hazardous waste disposal facility fails to pay the fee, the owner or operator of the licensed solid waste or hazardous waste disposal facility shall submit to the department with the payment required under sub. (2) an affidavit stating facts sufficient to show the person's failure to comply with sub. (1).

(b) If the person named in the affidavit under par. (a) is a generator or a person who arranges for collection or disposal services on behalf of one or more generators and the person holds a license for the collection and transportation of solid waste or hazardous waste, the department shall immediately notify the person that the license will be suspended 30 days after the date the notice is mailed unless the person submits to the department an affidavit stating facts sufficient to show that it has paid the fee as required under sub. (1).

(c) If the person named in the affidavit under par. (a) is an intermediate hauler that holds a license for the collection and transportation of solid waste or hazardous waste, the department shall immediately notify the person that the license will be suspended 30 days after the date the notice is mailed unless the person submits to the department an affidavit stating facts sufficient to show that either of the following has occurred:

1. The person named in the affidavit under par. (a) received the required fee from a generator, from a person who arranges for collection or disposal services on behalf of one or more generators or from an earlier intermediate hauler, and paid the fee to the licensed solid waste or hazardous waste disposal facility or to a subsequent intermediate hauler.

2. A generator, a person who arranges for collection or disposal services on behalf of one or more generators or an earlier intermediate hauler failed to pay the required fee to the person named in the affidavit under par. (a).

(d) If the department does not receive an affidavit under par. (b) or (c) within 30 days after the date the notice is mailed, the department shall suspend the license issued to the person for the collection and transportation of solid waste or hazardous waste. Notwithstanding s. 227.42, the department is not required to provide the licensee with a hearing before the suspension.

(e) When a person whose license is suspended under par. (d) provides the department with proof that the person has paid the owner or operator of the licensed solid waste or hazardous waste facility the amount of the unpaid fee, the department shall immediately reinstate the suspended license.

SECTION 2569L. 289.67 (1) (cm) of the statutes is amended to read:

289.67 **(1)** (cm) *Amount of environmental repair fee.* Except as provided under par. (d), the environmental repair fee imposed under par. (a) is ~~15 cents per ton for solid or hazardous waste received by a licensed solid or hazardous waste disposal facility after December 31, 1985, but before July 1, 1989, and~~ 20 cents per ton ~~for solid or hazardous waste received by a licensed solid or hazardous waste disposal facility on or after July 1, 1989~~.

SECTION 2569m. 289.67 (1) (cp) of the statutes is amended to read: **Vetoed In Part**

289.67 **(1)** (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm) and except as provided under par. (d), the environmental repair fee imposed under par. (a) is ~~30~~ 32.3 cents per ton for solid or hazardous waste, other than high–volume industrial waste~~, disposed of on or after January 1, 1988, but before July 1, 1989, and 50 cents per ton disposed of on or after July 1, 1989~~.

SECTION 2569n. 289.67 (2) (b) 1. and 2. of the statutes are amended to read:

289.67 **(2)** (b) 1. A generator of hazardous waste shall pay a base fee of ~~$125~~ $210 if the generator has generated more than zero pounds in that particular year, plus ~~$12~~ $20 per ton of hazardous waste generated during the reporting year.

2. No generator may pay a fee that is greater than ~~$10,000~~ $17,000.

SECTION 2569r. 291.09 (3) of the statutes is created to read:

291.09 **(3)** The department shall study whether the list of hazardous wastes under s. 291.05 (2) should be revised as it relates to commercial chemical products.

SECTION 2570. 292.11 (7) (d) 1m. of the statutes is created to read:

292.11 **(7)** (d) 1m. The department may negotiate and enter into an agreement containing a schedule for conducting nonemergency actions required under sub. (3) with a local governmental unit, as defined in sub. (9) (e) 1., that is acting on behalf of owners of contaminated property within one of the following:

a. A business improvement district, as defined in s. 66.608 (1) (b).

b. An area designated by the local governmental unit if the area consists of 2 or more properties affected by a contiguous region of groundwater contamination or contains 2 or more properties that are brownfields, as defined in s. 560.60 (1v).

SECTION 2571. 292.11 (7) (d) 2. of the statutes is amended to read:

292.11 **(7)** (d) 2. The department may charge fees, in accordance with rules that it promulgates, to offset the costs of negotiating and entering into an agreement under subd. 1. or 1m.

SECTION 2572. 292.11 (9) (e) 1. of the statutes is amended to read:

292.11 **(9)** (e) 1. ~~"Local~~ In this paragraph, "local governmental unit" means a municipality, a redevelopment authority created under s. 66.431, a public body designated by a municipality under s. 66.435 (4), a community development authority or a housing authority.

SECTION 2573. 292.11 (9) (e) 1m. (intro.) of the statutes is amended to read:

292.11 **(9)** (e) 1m. (intro.) ~~A~~ Except as provided in subds. 2., 4., 6. and 7., a local governmental unit is exempt from subs. (3), (4) and (7) (b) and (c) with respect to discharges of hazardous substances on or originating from property acquired by the local government unit before, on or after the effective date of this subdivision .... [revisor inserts date], if any of the following applies:

SECTION 2574. 292.11 (9) (e) 1m. b. of the statutes is amended to read:

292.11 **(9)** (e) 1m. b. The local governmental unit acquired the property from a local governmental unit that ~~acquired~~ is exempt under this subdivision with respect to the property ~~under a method described in subd. 1m. a.~~

SECTION 2575. 292.11 (9) (e) 1m. e. of the statutes is created to read:

292.11 **(9)** (e) 1m. e. The local governmental unit acquired the property through escheat.

SECTION 2576. 292.11 (9) (e) 1m. f. of the statutes is created to read:

292.11 **(9)** (e) 1m. f. The local governmental unit acquired the property using funds appropriated under s. 20.866 (2) (tz).

SECTION 2577. 292.11 (9) (e) 1s. of the statutes is amended to read:

292.11 **(9)** (e) 1s. ~~An~~ Except as provided in subds. 2. and 4. to 6., an economic development corporation described in section 501 (c) of the Internal Revenue Code, as defined in s. 71.22 (4), that is exempt from federal taxation under section 501 (a) of the Internal Revenue Code, or an entity wholly owned and operated by such a corporation, is exempt from subs. (3), (4) and (7) (b) and (c) with respect to property acquired before, on or after October 14, 1997, if the property is acquired to further the economic development purposes that qualify the corporation as exempt from federal taxation.

SECTION 2578. 292.11 (9) (e) 3. of the statutes is repealed.

SECTION 2579. 292.11 (9) (e) 5. c. of the statutes is repealed.

SECTION 2580. 292.11 (9) (e) 6. of the statutes is created to read:

292.11 **(9)** (e) 6. Subdivisions 1m. and 1s. only apply if the local governmental unit or the economic development corporation agrees to allow the department, any authorized representatives of the department, any party that possessed or controlled the hazardous substance or caused the discharge of the hazardous substance and any consultant or contractor of such a party to enter the property to take action to respond to the discharge.

SECTION 2581. 292.11 (9) (e) 7. of the statutes is created to read:

292.11 **(9)** (e) 7. Subdivision 1m. does not apply to property described in subd. 1m. f. unless the local governmental unit enters into an agreement with the department to ensure that the conditions in subds. 2. and 4. are satisfied.

SECTION 2581r. 292.13 (1) (intro.) of the statutes is amended to read:

292.13 **(1)** EXEMPTION FROM LIABILITY FOR GROUNDWATER CONTAMINATION. (intro.) A person~~, other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and (c) with respect to the existence of a hazardous substance in the groundwater on property possessed or controlled by the person if all of the following apply:

SECTION 2581w. 292.13 (1m) (intro.) of the statutes is amended to read:

292.13 **(1m)** EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A person~~, other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and (c) with respect to the existence of a hazardous substance in the soil on property possessed or controlled by the person if all of the following apply:

SECTION 2582. 292.15 (1) (a) of the statutes is created to read:

292.15 **(1)** (a) "Enforcement standard" has the meaning given in s. 160.01 (2).

SECTION 2583. 292.15 (1) (am) of the statutes is created to read:

292.15 **(1)** (am) "Natural attenuation" means the reduction in the mass and concentration in groundwater of a substance, and the products into which the substance breaks down, due to naturally occurring physical, chemical and biological processes, without human intervention.

SECTION 2584. 292.15 (1) (f) of the statutes is repealed and recreated to read:

292.15 **(1)** (f) "Voluntary party" means a person who submits an application to obtain an exemption under this section and pays any fees required under sub. (5).

SECTION 2585. 292.15 (2) (a) (title) of the statutes is created to read:

292.15 **(2)** (a) (title) *General.*

SECTION 2586. 292.15 (2) (a) (intro.) of the statutes is amended to read:

292.15 **(2)** (a) (intro.) Except as provided in sub. (6) or (7), a voluntary party is exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to ~~the existence~~ discharges of ~~a~~ hazardous ~~substance~~ substances on ~~the~~ or originating from a property, if the release of those hazardous substances occurred prior to the date on which the department approves the environmental investigation of the property under subd. 1. and if all of the following occur at any time before or after the date of acquisition:

SECTION 2587. 292.15 (2) (a) 2. of the statutes is amended to read:

292.15 **(2)** (a) 2. Except as provided in sub. (4), the ~~property is cleaned up by restoring the~~ environment is restored to the extent practicable with respect to the discharges and ~~minimizing~~ the harmful effects from ~~a discharge of the hazardous substance~~ the discharges are minimized in accordance with rules promulgated by the department and any contract entered into under those rules.

SECTION 2588. 292.15 (2) (a) 3. of the statutes is amended to read:

292.15 **(2)** (a) 3. The voluntary party obtains a certificate of completion from the department that the ~~property~~ environment has been satisfactorily restored to the extent practicable with respect to the discharges and that the harmful effects from ~~a discharge of a hazardous substance~~ the discharges have been minimized.

SECTION 2589. 292.15 (2) (a) 6. of the statutes is amended to read:

292.15 **(2)** (a) 6. The voluntary party has not obtained the ~~certification under subd. 3.~~ certificate of completion by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1.

SECTION 2591. 292.15 (2) (ae) of the statutes is created to read:

292.15 **(2)** (ae) *Natural attenuation.* Except as provided in sub. (6) or (7), if there exists a hazardous substance in groundwater on or originating from a property in a concentration that exceeds an enforcement standard and the department determines that natural attenuation will restore groundwater quality in accordance with rules promulgated by the department, a voluntary party is exempt from ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to discharges of hazardous substances on or originating from the property, if the release of those hazardous substances occurred prior to the date on which the department approves the environmental investigation of the property under subd. 1. and if all of the following occur at any time before or after the date of acquisition:

1. An environmental investigation of the property is conducted that is approved by the department.

2. The environment is restored to the extent practicable with respect to the discharges and the harmful effects from the discharges are minimized in accordance with rules promulgated by the department and any contract entered into under those rules, except that this requirement does not apply with respect to the hazardous substance in groundwater that the department has determined will be brought into compliance with rules promulgated by the department through natural attenuation.

3. The voluntary party obtains a certificate of completion from the department stating that the environment has been satisfactorily restored to the extent practicable with respect to the discharges and that the harmful effects from the discharges have been minimized, except with respect to the hazardous substance in groundwater that the department has determined will be brought into compliance with rules promulgated by the department through natural attenuation.

3m. If required by the department, the voluntary party obtains and maintains insurance to cover the costs of complying with s. 292.11 (3) with respect to the hazardous substance that the department has determined will be brought into compliance with rules promulgated by the department through natural attenuation, in case natural attenuation fails, and the insurance complies with rules promulgated by the department and names this state as the insured.

4. The voluntary party maintains and monitors the property as required under rules promulgated by the department and any contract entered into under those rules.

5. The voluntary party does not engage in activities that are inconsistent with the maintenance of the property.

6. The voluntary party has not obtained the certification under subd. 3. by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1.

SECTION 2592. 292.15 (2) (ag) of the statutes is created to read:

292.15 **(2)** (ag) *Property affected by off–site discharge.* Except as provided in sub. (6) or (7), for a property on which there exists a hazardous substance for which a voluntary party is exempt from liability under s. 292.13 (1), a voluntary party is exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to discharges of hazardous substances on or originating from the property, if the release of those hazardous substances occurred prior to the date on which the department approves the environmental investigation of the property under par. (a) 1., if par. (a) 1. and 4. to 6. apply and all of the following occur at any time before or after the date of acquisition:

1. The environment is restored to the extent practicable with respect to the discharges and the harmful effects from the discharges are minimized in accordance with rules promulgated by the department and any contract entered into under those rules, except that this requirement does not apply with respect to the hazardous substance for which the voluntary party is exempt from liability under s. 292.13 (1).

2. The voluntary party obtains a certificate of completion from the department stating that the environment has been satisfactorily restored to the extent practicable with respect to the discharges and that the harmful effects from the discharges have been minimized, except with respect to the hazardous substance for which the voluntary party is exempt from liability under s. 292.13 (1).

3. The voluntary party obtains a written determination from the department under s. 292.13 (2) with respect to the hazardous substance for which the voluntary party is exempt from liability under s 292.13 (1).

4. The voluntary party continues to satisfy the conditions under s. 292.13 (1) (d) to (g).

SECTION 2593. 292.15 (2) (am) (intro.) of the statutes is amended to read:

292.15 **(2)** (am) <u>*Partial cleanup.*</u> (intro.) The department may approve a partial cleanup and issue a certificate of completion as provided in par. (a)<u>, (ae) or (ag)</u> 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)<u>, (ae) or (ag)</u>, a certificate for a partial cleanup under this paragraph may be issued only if:

SECTION 2594. 292.15 (2) (ar) (title) of the statutes is created to read:

292.15 **(2)** (ar) (title) *Condition.*

SECTION 2595. 292.15 (2) (at) of the statutes is created to read:

292.15 **(2)** (at) *Discharges discovered after environmental investigations.* Except as provided in sub. (6) or (7), a voluntary party is exempt from ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with respect to a discharge of a hazardous substance on or originating from a property if the discharge occurred before the environmental investigation under subd. 1. is completed and if all of the following apply:

1. An environmental investigation of the property and of any discharges of hazardous substances originating from the property is conducted and is approved by the department.

2. If required by the department, the voluntary party enters into an agreement with the department under which the voluntary party agrees to conduct a cleanup approved by the department.

3. The voluntary party obtains and maintains insurance to cover the costs of complying with s. 292.11 (3) with respect to a hazardous substance discharges that occurred before the investigation under subd. 1. is completed and that are discovered in the course of conducting a cleanup of the property, the insurance complies with rules promulgated by the department and the insurance names the voluntary party and this state as insureds.

3m. If the department requires the voluntary party to enter into an agreement under subd. 2., the voluntary party conducts the agreed upon cleanup.

4. A hazardous substance discharge that occurred before the investigation under subd. 1. is completed is discovered after the investigation under subd. 1. is approved and before the cleanup is completed.

6. The voluntary party has not obtained approval of the investigation under subd. 1. or the agreement under subd. 2. by fraud or misrepresentation, by the knowing failure to disclose material information or under circum-

stances in which the voluntary party knew or should have known about more discharges of hazardous substances than were revealed by the investigation conducted under subd. 1.

SECTION 2596. 292.15 (2) (b) of the statutes is amended to read:

292.15 **(2)** (b) *Extent of exemptions.* The exemptions provided in pars. (a), (ae), (ag) and (am) continue to apply after the date of certification by the department under par. (a) 3., (ae) 3. or (ag) 2., or approval by the department under par. (am), notwithstanding the occurrence of any of the following:

1. Statutes, rules or regulations are created or amended that would impose greater responsibilities on the voluntary party than those imposed under par. (a) 2., (ae) 2. or (ag) 1.

2. The voluntary party fully complies with the rules promulgated by the department and any contract entered into under those rules under par. (a) 2., (ae) 2. or (ag) 1. but it is discovered that the cleanup fails to fully restore the environment and minimize the effects from a discharge of a hazardous substance.

3. The contamination from a hazardous substance that is the subject of the cleanup under par. (a) 2., (ae) 2. or (ag) 1. is discovered to be more extensive than anticipated by the voluntary party and the department.

SECTION 2597. 292.15 (2) (c) (title) of the statutes is created to read:

292.15 **(2)** (c) (title) *Prohibition on action.*

SECTION 2598. 292.15 (2) (c) of the statutes is amended to read:

292.15 **(2)** (c) The department of justice may not commence an action under 42 USC 9607 against any voluntary party meeting the criteria of this subsection to recover costs for which the voluntary party is exempt under pars. (a), (*ac*), (ag), (am), (at) and (b).

SECTION 2599. 292.15 (2) (d) (title) of the statutes is created to read:

292.15 **(2)** (d) (title) *Exception.*

SECTION 2600. 292.15 (2) (e) of the statutes is created to read:

292.15 **(2)** (e) *Contract with insurer.* If the department requires insurance under par. (ae) 3m. or (at) 3., the department may contract with an insurer to provide insurance required under par. (ae) 3m. or (at) 3. and may require voluntary parties to obtain coverage under the contract.

SECTION 2601. 292.15 (3) of the statutes is amended to read:

292.15 **(3)** SUCCESSORS AND ASSIGNS. ~~The~~ An exemption provided in sub. (2) applies to any successor or assignee of the voluntary party ~~who qualifies as a voluntary party and who~~ if the successor or assignee complies with the provisions of sub. (2) (a) 4. and 5. ~~unless~~ or (ae) 3m., 4. and 5. and, if applicable, sub. (2) (ag) 4. or (am) as though the successor or assignee were the voluntary party except that the exemption in sub. (2) does not apply if the successor or assignee knows that a certificate under sub. (2) (a) 3., (ae) 3., (ag) 12. or (am) was obtained by any of the means or under any of the circumstances specified in sub. (2) (a) 6.

SECTION 2602. 292.15 (4) (intro.) of the statutes is amended to read:

292.15 **(4)** LIMITED RESPONSIBILITY. (intro.) The responsibility of a voluntary party under sub. (2) (a) 2. may be monetarily limited by agreement between the voluntary party and the department if the voluntary party purchased the property from a local governmental unit that acquired the property in a way or for a purpose described in s. 292.11 (9) (e) 1m. ~~a., b., c. or d.~~ The agreement shall stipulate all of the following:

SECTION 2603. 292.15 (5m) of the statutes is repealed.

SECTION 2604. 292.15 (6) of the statutes is renumbered 292.15 (6) (a) and amended to read:

292.15 **(6)** (a) This section does not exempt property from any lien filed under s. 292.81 (3) for costs incurred by the department prior to the date that certification is issued under sub. (2) (a) 3., (ae) 3. or (ag) 2.

SECTION 2605. 292.15 (6) (b) of the statutes is created to read:

292.15 **(6)** (b) This section does not exempt property from any lien filed under s. 292.81 (3) for costs that are incurred by the department with respect to a hazardous substance discharge described in sub. (2) (at) 3. and that are not covered by insurance required by sub. (2) (at) 3.

SECTION 2606. 292.21 (1) (c) 1. b. of the statutes is repealed.

SECTION 2607. 292.21 (1) (c) 1. g. of the statutes is created to read:

292.21 **(1)** (c) 1. g. The lender agrees to allow the department, any authorized representatives of the department, any party that possessed or controlled the hazardous substance or caused the discharge of the hazardous substance and any consultant or contractor of such a party to enter the real property to take action to respond to the discharge.

SECTION 2608. 292.21 (1) (c) 1. h. of the statutes is created to read:

292.21 **(1)** (c) 1. h. The lender agrees to avoid any interference with action undertaken to respond to the discharge and to avoid actions that worsen the discharge.

SECTION 2609. 292.21 (1) (c) 1. i. of the statutes is created to read:

292.21 **(1)** (c) 1. i. The lender agrees to any other condition that the department determines is reasonable and necessary to ensure that the department or other person described in subd. 1. g. can adequately respond to the discharge.

SECTION 2610. 292.24 of the statutes is created to read:

292.24 Responsibility of local governmental units; hazardous waste. (1) DEFINITION. In this section, "local governmental unit" has the meaning given in s. 292.11 (9) (e) 1.

(2) EXEMPTION FROM LIABILITY. Except as provided in sub. (3), a local governmental unit is exempt from ss. 291.25 (1) to (5), 291.29 and 291.37, and rules promulgated under those provisions, with respect to the existence of a hazardous waste discharge on property acquired in a way or for a purpose described in s. 292.11 (9) (e) 1m., if all of the following occur at any time before or after the date of acquisition:

(a) An environmental investigation of the property is conducted that is approved by the department and that identifies any hazardous waste discharges that occurred on the property.

(b) The hazardous waste discharges identified by the investigation under par. (a) are cleaned up by restoring the environment to the extent practicable with respect to the discharges and minimizing the harmful effects from the discharges in accordance with rules promulgated by the department and any contract entered into under those rules.

(c) The local governmental unit obtains an approval from the department stating that the property has been satisfactorily restored to the extent practicable with respect to the hazardous waste discharges and that the harmful effects from the discharges have been minimized.

(d) The local governmental unit maintains and monitors the property as required under rules promulgated by the department and any contract entered into under those rules.

(e) The local governmental unit does not engage in activities that are inconsistent with the maintenance of the property.

(f) The local governmental unit has not obtained the certification under par. (c) by fraud or misrepresentation, by the knowing failure to disclose material information or under circumstances in which the local governmental unit knew or should have known about more discharges of hazardous waste than were revealed by the investigation conducted under par. (a).

(g) The local governmental unit did not cause the discharge of any hazardous waste identified on the property.

(3) APPLICABILITY. Subsection (2) does not apply to any of the following:

(a) A hazardous waste treatment, storage or disposal facility that first begins operation after the date on which the local governmental unit acquired the property.

(b) A licensed hazardous waste treatment, storage or disposal facility operated on the property before the date on which the local governmental unit acquired the property and that is operated after the date on which the local governmental unit acquired the property.

(c) Any hazardous waste disposal facility that has been issued a license under s. 144.441 (2), 1995 stats., or s. 289.41 (1m), or rules promulgated under those sections, for a period of long–term care following closure of the facility.

SECTION 2611. 292.25 of the statutes is created to read:

292.25 Report on impact of exemptions from liability. (1) The department shall biennially determine all of the following:

(a) The number of sites for which a person is seeking to qualify for an exemption under s. 292.15.

(b) The number of sites for which a certificate of completion was issued under s. 292.15.

(c) The number of sites for which a certificate of completion was issued under s. 292.15 at which it is discovered that the cleanup failed or at which additional hazardous substances are found after the certificate of completion was issued.

(d) The number of sites described in par. (b) at which the department has determined that it is necessary to conduct remedial action using moneys from the environmental fund and the estimated costs of performing that remedial action.

(e) The number of sites for which a claim was made against an insurance policy required under s. 292.15.

(2) No later than September 15 of each even–numbered year, the department shall submit a report describing its determinations under sub. (1) to the legislature under s. 13.172 (2), to the governor and to the department of administration.

(3) The department may require a person to provide information necessary for the department to make the determinations under sub. (1).

SECTION 2611d. 292.255 of the statutes is created to read:

292.255 Report on brownfield efforts. On or before June 30 annually, the department of natural resources, the department of administration, the department of commerce, the department of revenue and the department of transportation shall submit a report to the appropriate standing committees of the legislature under s. 13.172 (3) and to the joint committee on finance evaluating the effectiveness of this state's efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. 560.60 (1v).

Vetoed In Part

Vetoed In Part

Vetoed In Part

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 listed in par. (a) if any of the following applies:

1. The person is exempt from liability 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.

2. The person has entered into a consent order under this chapter or ch. 289 or 291 or an agreement under s. 292.11 (7) (d) or 292.31 (8) (h) with respect to the discharge that is the subject of the action and the person is in compliance with the consent order or agreement.

3. The person is exempt from liability under s. 292.35 (9) (e) with respect to the discharge that is the subject of the action.

4. The discharge that was caused by the person and that is the subject of the action was in compliance with a permit, license, approval, special order, waiver or variance issued under ch. 283 or 285 or under corresponding federal statutes or regulations.

(4) RECOVERABLE COSTS. (a) Except as provided in par. (b), in an action under this section a local governmental unit may recover the reasonable and necessary costs that it incurs for all of the following:

1. Investigating environmental contamination on the property and planning remedial activities described in subd. 2.

2. Conducting remedial activities to restore the property for its intended future use.

3. Administering the activities under subds. 1. and 2. and bringing the action under this section, including costs, disbursements and engineering fees but excluding attorney fees.

(b) The costs determined under par. (a) shall be reduced by the fair market value of the property after completion of the activities under par. (a) 2.

(c) Recoverable costs under this subsection may not be reduced by the amount of any state or federal moneys received by the local governmental unit for any of the activities under par. (a).

(d) 1. In an action under this section, the liability of a responsible person described in sub. (3) (a) 2. is limited to the amount that bears the same proportion to the total costs under par. (a), adjusted as provided in par. (b), as the amount of the environmental pollution on the property from the discharge caused by the responsible person bears to all of the environmental pollution on the property from discharges of hazardous substances.

2. In an action under this section, the liability of a responsible person described in sub. (3) (a) 1. is limited to the amount of the total costs under par. (a), adjusted as provided in par. (b), that the local governmental unit is unable to recover from responsible parties described in sub. (3) (a) 2. less the amount that the local governmental unit is unable to recover because of the exemptions in sub. (3) (b) 3. and 4.

(5) REPAYING STATE ASSISTANCE. If a local governmental unit that recovers costs under this section received money from this state, other than under s. 292.11 (7) or 292.31 (1), (3) or (7), for any of the activities under sub. (4) (a), the local governmental unit shall reimburse to the state an amount that bears the same proportion to the total amount recovered under this section as the amount received from the state, other than under s. 292.11 (7) or 292.31 (1), (3) or (7), bears to the total costs under sub. (4) (a) adjusted as provided in sub. (4) (b).

(6) EXCEPTION. A local governmental unit may not recover costs under this section for remedial activities conducted on a property or portion of a property with respect to a discharge after the department of natural resources, the department of commerce or the department of agriculture, trade and consumer protection has indicated that no further remedial activities are necessary on the property or portion of the property with respect to the discharge.

(7) LIMITATION OF ACTION. An action under this section shall be commenced within 6 years after the date that the local governmental unit completes the activities under sub. (4) (a) 2. or be barred.

SECTION 2613. 292.57 of the statutes is created to read:

292.57 Database of properties on which groundwater standards are exceeded. (1) In this section, "groundwater standard" means an enforcement standard, as defined in s. 160.01 (2), or a preventive action limit, as defined in s. 160.01 (6).

(2) (a) The department may promulgate a rule specifying a fee for placing information concerning a property on which a groundwater standard is exceeded into a database.

(b) Any moneys collected under this subsection shall be credited to the appropriation account under s. 20.370 (2) (mi).

SECTION 2614. 292.65 (1) (d) 9. of the statutes is created to read:

292.65 **(1)** (d) 9. A formal wear rental firm.

SECTION 2614e. 292.65 (1) (ek) of the statutes is created to read:

292.65 **(1)** (ek) "Formal wear" includes tuxedos, suits and dresses, but does not include costumes, table linens and household fabrics.

SECTION 2614g. 292.65 (1) (em) of the statutes is created to read:

292.65 **(1)** (em) "Formal wear rental firm" means a facility that rents formal wear to the general public and dry cleans only the formal wear that it rents to the general public.

SECTION 2615. 292.65 (1) (h) 3. of the statutes is created to read:

292.65 **(1)** (h) 3. A person who operated a dry cleaning facility that ceased operating before October 14, 1997.

SECTION 2616. 292.65 (1) (i) 1. of the statutes is renumbered 292.65 (1) (i) 1. (intro.) and amended to read:

292.65 **(1)** (i) 1. (intro.) A person who owns, or has possession or control of, ~~a dry cleaning facility, or~~ and who receives or received direct or indirect consideration from the operation of ~~a dry cleaning facility regardless of whether the dry cleaning facility remains in operation and regardless of whether the person owns or receives consideration at the time that environmental pollution occurs.~~, any of the following:

SECTION 2617. 292.65 (1) (i) 1. a. of the statutes is created to read:

292.65 **(1)** (i) 1. a. A dry cleaning facility that is licensed under s. 77.9961 (2).

SECTION 2618. 292.65 (1) (i) 1. b. of the statutes is created to read:

292.65 **(1)** (i) 1. b. A dry cleaning facility that has ceased operation but that, if it ceased operation on or after October 14, 1997, was licensed under s. 77.9961 (2) before it ceased operation.

SECTION 2619. 292.65 (1) (i) 3. of the statutes is created to read:

292.65 **(1)** (i) 3. A person who owns the property on which one of the following is located:

a. A dry cleaning facility that is licensed under s. 77.9961 (2).

b. A dry cleaning facility that has ceased operation but that was licensed under s. 77.9961 (2) before it ceased operation.

SECTION 2620. 292.65 (1) (L) of the statutes is amended to read:

292.65 **(1)** (L) "Service provider" means a consultant, testing laboratory, monitoring well installer, soil boring contractor, other contractor~~, lender~~ or any other person who provides a product or service for which an application for reimbursement has been or will be filed under this section, or a subcontractor of such a person.

SECTION 2621. 292.65 (3) (am) 2. of the statutes is amended to read:

292.65 **(3)** (am) 2. The department shall pay an award for immediate action activities. ~~For the purposes of this subdivision, removal of contaminated soils and recovery of free dry cleaning solvent are not considered immediate action activities.~~

SECTION 2622. 292.65 (3) (am) 3. of the statutes is repealed and recreated to read:

292.65 **(3)** (am) 3. After paying awards for immediate action activities, the department shall do the following with the remaining funds available for awards under this section:

a. In the program year that begins on July 1, 1999, provide 75% to pay awards for eligible costs incurred before October 14, 1997, and provide 25% to pay awards for eligible costs incurred on or after October 14, 1997.

b. In the program year that begins on July 1, 2000, provide 50% to pay awards for eligible costs incurred before October 14, 1997, and provide 50% to pay awards for eligible costs incurred on or after October 14, 1997.

c. In the program year that begins on July 1, 2001, and every program year thereafter, provide at least 70% as awards to pay eligible costs incurred on or after October 14, 1997.

SECTION 2627. 292.65 (4) (m) of the statutes is created to read:

292.65 **(4)** (m) *Notification of insurance claims and receipt of proceeds.* An owner or operator shall notify the department of any insurance claim made to cover eligible costs, the status of the claim, and, if the owner or operator has received any insurance proceeds arising from the claim, the amount of the proceeds.

SECTION 2629. 292.65 (6) of the statutes is repealed.

SECTION 2631. 292.65 (7) (a) 16. of the statutes is repealed.

SECTION 2632. 292.65 (7) (b) of the statutes is repealed.

SECTION 2634. 292.65 (7) (c) 6. of the statutes is created to read:

292.65 **(7)** (c) 6. Costs of financing eligible activities.

SECTION 2636. 292.65 (8) (a) 4m. of the statutes is created to read:

292.65 **(8)** (a) 4m. If the owner or operator receives any proceeds arising from an insurance claim for any eligible costs, a record of the payment.

SECTION 2636g. 292.65 (8) (d) 8. of the statutes is amended to read:

292.65 **(8)** (d) 8. The dry cleaning solvent discharge was caused by a person who provided services or products to the owner or operator or to a prior owner or operator of the dry cleaning facility, including a person who provided perchloroethylene to the owner or operator or prior owner or operator of a dry cleaning facility using a system other than a closed, direct–coupled delivery system.

SECTION 2637. 292.65 (8) (e) 3a. of the statutes is repealed and recreated to read:

292.65 **(8)** (e) 3a. If eligible costs are $200,000 or less, $10,000.

SECTION 2638. 292.65 (8) (e) 3am. of the statutes is created to read:

292.65 **(8)** (e) 3am. If eligible costs exceed $200,000 but do not exceed $400,000, $10,000 plus 8% of the amount by which eligible costs exceed $200,000.

SECTION 2639. 292.65 (8) (e) 3ar. of the statutes is created to read:

292.65 **(8)** (e) 3ar. If eligible costs exceed $400,000, $26,000 plus 10% of the amount by which eligible costs exceed $400,000.

SECTION 2640. 292.65 (8) (e) 3b. of the statutes is amended to read:

292.65 **(8)** (e) 3b. ~~For each year in which the owner or operator has not paid the annual license fee under s. 77.9961 (1) for the dry cleaning facility, an~~ An amount equal to 30 times the average annual license fee paid under s. 77.9961 (1) for ~~that~~ the year in which an award is made.

SECTION 2641. 292.65 (8) (e) 3c. of the statutes is amended to read:

292.65 **(8)** (e) 3c. ~~For each year in which the dry cleaning solvents fee under s. 77.9962 was imposed and the dry cleaning facility was not in operation, an~~ An amount equal to 30 times the total amount collected under s. 77.9962 for ~~that~~ the year in which an award is made divided by the number of dry cleaning facilities in operation during that year.

SECTION 2641g. 292.65 (8) (j) 4. of the statutes is created to read:

292.65 **(8)** (j) 4. If, prior to receiving an award under this section, an owner or operator receives payment from an insurance company arising out of a claim for payment of any eligible costs, the department may not reimburse the owner or operator any amount that exceeds the difference between the amount of the award calculated under subd. 1. or 2. and pars. (e) and (f) and the amount by which the insurance payment exceeds the sum of the deductible and the amount by which the amount calculated under par. (e) exceeds the maximum award under par. (f).

SECTION 2641m. 292.65 (8m) of the statutes is created to read:

292.65 **(8m)** REIMBURSEMENT OF INSURANCE PROCEEDS. If, after the owner or operator receives an award under this section, the owner or operator receives payment from an insurance company arising out of a claim for payment of any eligible costs, the owner or operator shall pay to the department the amount by which the insurance payment exceeds the sum of the deductible and the amount by which the amount calculated under par. (e) exceeds the maximum award under par. (f), but not more than the amount of the award received. The amounts collected by the department under this subsection shall be deposited in the dry cleaner environmental response fund.

SECTION 2643. 292.65 (11) of the statutes is created to read:

292.65 **(11)** ENVIRONMENTAL FUND REIMBURSEMENT. If the department expends funds from the environmental fund under s. 292.11 (7) (a) or 292.31 (3) (b) because of a discharge of dry cleaning solvent at a dry cleaning facility, the department shall transfer from the appropriation account under s. 20.370 (6) (eq) to the environmental fund an amount equal to the amount expended under s. 292.11 (7) (a) or 292.31 (3) (b). The department shall make transfers under this subsection when the department determines that sufficient funds are available in the appropriation account under s. 20.370 (6) (eq).

SECTION 2644. 292.65 (12m) of the statutes is created to read:

292.65 **(12m)** PROHIBITION. No person may knowingly make or cause to be made a false or misleading statement in any document submitted to the department under this section.

SECTION 2645m. 292.66 (2) (e) of the statutes is repealed.

SECTION 2645p. 292.66 (2) (g) of the statutes is created to read:

292.66 **(2)** (g) The owner or operator of a dry cleaning facility that is operating at the time that the owner or operator applies for assistance under this section certifies that any perchloroethylene delivered to the dry cleaning facility is delivered using a closed, direct–coupled delivery system.

SECTION 2646. 292.66 (3) of the statutes is amended to read:

292.66 **(3)** An award under this section ~~may not exceed $15,000, of which not more than $2,500 may be~~ shall equal 50% of the eligible costs, except that an award may not exceed $20,000. Of the total award, the reimbursement for the preliminary site screening shall equal 50% of the cost of conducting the preliminary site screening, except that the reimbursement for the preliminary site screening may not exceed $3,000.

SECTION 2647. 292.66 (5) of the statutes is created to read:

292.66 **(5)** No person may knowingly make or cause to be made a false or misleading statement in any document submitted to the department under this section.

SECTION 2648c. 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 AGREEMENTS CONCERNING DISPOSAL OF CONTAMINATED SEDIMENTS. Subject to sub. (4), the department may enter into an agreement with a municipality under which this state agrees to indemnify the municipality and its agencies, officials, employes and agents against liability for damage to persons, property or the environment resulting from the municipality's acceptance for disposal of sediments that are from the Great

Lakes basin and are contaminated with PCBs, if the sediments are disposed of in a manner approved by the department.

(3) INDEMNIFICATION AGREEMENTS CONCERNING TREATMENT OF CONTAMINATED LEACHATE. Subject to sub. (4), the department may enter into an agreement with a municipality under which this state agrees to indemnify the municipality and its agencies, officials, employes and agents against any liability for damage to persons, property or the environment resulting from the municipality's conveyance or 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) REQUIREMENTS. The department may enter into an agreement under sub. (2) or (3) only if all of the following apply:

Vetoed In Part

(a) The agreement is approved by the governor , the attorney general, the secretary and the governing body of the municipality.

(b) The agreement specifies a method for determining whether the municipality is liable for damage described in sub. (2) or (3).

(c) The agreement requires the municipality to notify the department and the attorney general when a claim or lawsuit to which the agreement may apply is filed against the political subdivision.

(d) The agreement authorizes the attorney general to intervene on behalf of the municipality and this state in any lawsuit to which the agreement may apply.

(e) The agreement requires the operator of the solid waste disposal facility or wastewater treatment facility to minimize risks related to PCBs.

(f) The agreement authorizes the department to require the operator of the solid waste disposal facility or wastewater treatment facility to operate in a manner specified by the department in order to minimize risks related to PCBs.

Vetoed In Part

(5) LIMITATION. The department may include in an agreement under sub. (4) a limitation on the amount that this state will pay to a municipality under the agreement.

(6) IMMUNITY. This section and any agreement entered into under sub. (3) or (4) may not be construed as consent to sue this state.

(7) 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.

(c) "Petroleum product" has the meaning given in s. 101.143 (1) (f).

(d) "Underground hazardous substance storage tank system" means an underground storage tank used for storing a hazardous substance other than a petroleum product together with any on–site integral piping or dispensing system with at least 10% of its total volume below the surface of the ground.

(e) "Underground petroleum product storage tank" has the meaning given in s. 101.143 (1) (i).

(2) DUTIES OF THE DEPARTMENT. (a) The department shall administer a program to award brownfield site assessment grants from the appropriation under s. 20.370 (6) (et) to local governmental units for the purposes of conducting any of the eligible activities under sub. (3).

(b) The department may not award a grant to a local governmental unit under this section if that local governmental unit caused the environmental contamination that is the basis for the grant request.

(c) The department may only award grants under this section if the person that caused the environmental contamination that is the basis for the grant request is unknown, cannot be located or is financially unable to pay the cost of the eligible activities.

(d) The department shall promulgate rules as necessary to administer the program. Rules promulgated by the department under this paragraph may limit the total amount of funds that may be used to cover the costs of each category of eligible activity described in sub. (3).

(3) ELIGIBLE ACTIVITIES. The department may award grants to local governmental units to cover the costs of the following activities:

(a) The investigation of environmental contamination on an eligible site or facility for the purposes of reducing or eliminating environmental contamination.

(b) The demolition of any structures, buildings or other improvements located on an eligible site or facility.

(c) The removal of abandoned containers, as defined in s. 292.41 (1), from an eligible site or facility.

(d) Asbestos abatement activities, as defined in s. 254.11 (2), conducted on an eligible site or facility.

(e) The removal of underground hazardous substance storage tank systems.

(f) The removal of underground petroleum product storage tank systems.

(4) APPLICATION FOR GRANT. The applicant shall submit an application on a form prescribed by the department and shall include any information that the department finds necessary to calculate the amount of a grant.

(5) GRANT CRITERIA. The department shall consider the following criteria when determining whether to award a grant:

(a) The local governmental unit's demonstrated commitment to performing and completing necessary environmental remediation activities on the eligible site, including the local governmental unit's financial commitment.

(b) The degree to which the project will have a positive impact on public health and the environment.

(c) Other criteria that the department finds necessary to calculate the amount of a grant.

(6) LIMITATION OF GRANT. The total amount of all grants awarded to a local governmental unit in a fiscal year under this section shall be limited to an amount equal to 15% of the available funds appropriated under s. 20.370 (6) (et) for the fiscal year.

(7) MATCHING FUNDS. The department may not distribute a grant unless the applicant contributes matching funds equal to 20% of the grant. Matching funds may be in the form of cash or in–kind contribution or both.

SECTION 2649h. 292.77 of the statutes is created to read:

292.77 Sustainable urban development zone program. (1) In this section, "brownfields" has the meaning given in s. 560.13 (1) (a).

(2) The department shall develop and, beginning no later than January 1, 2001, administer a pilot program in the city of Beloit, the city of Green Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh that promotes the use of financial incentives to clean up and redevelop brownfields. Funds provided under the program may be used to investigate environmental contamination and to conduct cleanups of brownfields in those cities.

(3) In developing and administering the pilot program under sub. (2), the department shall consult and coordinate with the department of administration, the department of commerce, the department of health and family services, the department of revenue, the department of transportation and the cities specified in sub. (2).

Vetoed In Part

(4) During the 1999–2001 fiscal biennium, the department shall make the following amounts available through the pilot program under sub. (2):

(a) To the city of Green Bay, $500,000.

(b) To the city of La Crosse, $500,000.

(c) To the city of Milwaukee, $1,000,000.

(d) To the city of Oshkosh, $250,000.

(e) To the city of Beloit, $200,000.

(5) (a) The department of commerce shall certify a person conducting a project under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28 (1dy) or 71.47 (1dy) while the person is conducting the project.

Vetoed In Part

(b) Within 3 months after a person is certified under par. (a), the department of commerce shall estimate the amount of tax benefits that the person will claim while conducting the project.

Vetoed In Part

(c) The department of commerce shall provide a person certified under par. (a) and the department of revenue with a copy of the certification. The certification shall include all of the following:

1. The name and address of the person's business.

2. The location and description of the project.

3. The appropriate Wisconsin tax identification number of the person.

4. The names and addresses of other locations where the person conducts business and a description of the business activities conducted at those locations.

5. Other information required by the department of natural resources or the department of revenue.

(d) The department of commerce shall promulgate rules that further define a person's eligibility to claim the tax credit.

SECTION 2650. 292.99 (1) of the statutes is amended to read:

292.99 **(1)** ~~Any~~ Except as provided under sub. (1m), any person who violates this chapter or any rule promulgated or any plan approval, license or special order issued under this chapter shall forfeit not less than $10 nor more than $5,000 for each violation. Each day of continued violation is a separate offense. While an order is suspended, stayed or enjoined, this penalty does not accrue.

SECTION 2651. 292.99 (1m) of the statutes is created to read:

292.99 **(1m)** Any person who violates s. 292.65 (12m) or 292.66 (5) shall forfeit not less than $10 nor more than $10,000.

SECTION 2652. 292.99 (2) of the statutes is amended to read:

292.99 **(2)** In addition to the penalties provided under ~~sub.~~ subs. (1) and (1m), the court may award the department of justice the reasonable and necessary expenses of the investigation and prosecution of the violation, including attorney fees. The department of justice shall deposit in the state treasury for deposit into the general fund all moneys that the court awards to the department or the state under this subsection. Ten percent of the money deposited in the general fund that was awarded under this subsection for the costs of investigation and the expenses of prosecution, including attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).

SECTION 2653. 295.11 (10) of the statutes is amended to read:

295.11 **(10)** "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage,

or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by–product material, as defined in s. 254.31 ~~(3)~~ (1).

SECTION 2653d. 295.16 (1) (c) of the statutes is created to read:

295.16 **(1)** (c) The requirements for a nonmetallic mining reclamation plan under s. 295.12 (3) (c), for public notice and an opportunity for a public informational hearing under s. 295.12 (3) (d) and for proof of financial responsibility under s. 295.12 (3) (ds) do not apply to nonmetallic mining to obtain stone, soil, sand or gravel for the construction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility, conducted under contract with a municipality, as defined in s. 299.01 (8), if the contract requires the nonmetallic mining site to be reclaimed in accordance with the requirements of the department of transportation concerning the restoration of nonmetallic mining sites.

SECTION 2653v. 299.07 (1) (a) (intro.) of the statutes is amended to read:

299.07 **(1)** (a) (intro.) ~~The~~ Except as provided in par. (am), the department shall require each applicant to provide the department with the applicant's social security number, if the applicant is an individual, or the applicant's federal employer identification number, if the applicant is not an individual, as a condition of issuing or renewing any of the following:

SECTION 2654c. 299.07 (1) (am) of the statutes is created to read:

299.07 **(1)** (am) 1. If an individual who applies for the issuance or renewal of a license, registration or certification specified in par. (a) does not have a social security number, the department shall require the applicant, as a condition of issuing or renewing the license, registration or certification, to submit a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The statement shall be in the form prescribed by the department of workforce development.

2. A license, registration or certification specified in par. (a) that is issued in reliance on a statement submitted under subd. 1. is invalid if the statement is false.

SECTION 2654e. 299.08 (1) (a) (intro.) of the statutes is amended to read:

299.08 **(1)** (a) (intro.) ~~The~~ Except as provided in par. (am), the department shall require each applicant who is an individual to provide the department with the applicant's social security number as a condition of issuing or renewing any of the following:

SECTION 2654f. 299.08 (1) (am) of the statutes is created to read:

299.08 **(1)** (am) 1. If an individual who applies for the issuance or renewal of a license, registration or certification specified in par. (a) does not have a social security number, the department shall require the applicant, as a condition of issuing or renewing the license, registration or certification, to submit a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The statement shall be in the form prescribed by the department of workforce development.

2. A license, registration or certification specified in par. (a) that is issued in reliance on a statement submitted under subd. 1. is invalid if the statement is false.

SECTION 2670. 299.13 (title) of the statutes is amended to read:

299.13 (title) **~~Hazardous pollution~~ Pollution prevention.**

SECTION 2671. 299.13 (1) (be) of the statutes is created to read:

299.13 **(1)** (be) "Center" means the solid and hazardous waste education center under s. 36.25 (30).

SECTION 2672. 299.13 (1) (c) of the statutes is repealed.

SECTION 2673. 299.13 (1) (dm) of the statutes is created to read:

299.13 **(1)** (dm) 1. "Pollution prevention" means an action that does any of the following:

a. Prevents waste from being created.

b. Reduces the amount of waste that is created.

c. Changes the nature of waste being created in a way that reduces the hazards to public health or the environment posed by the waste.

2. "Pollution prevention" does not include incineration, recycling or treatment of a waste, changes in the manner of disposal of a waste or any practice that changes the characteristics or volume of a waste if the practice is not part of the process that produces a product or provides a service.

SECTION 2674. 299.13 (1) (e) of the statutes is repealed.

SECTION 2675. 299.13 (1m) (intro.) of the statutes is amended to read:

299.13 **(1m)** PROMOTION OF ~~HAZARDOUS~~ POLLUTION PREVENTION. (intro.) In carrying out the duties under this section and ss. 36.25 (30) and 560.19, the department, the department of commerce and the ~~program~~ center shall promote all of the following techniques for ~~hazardous~~ pollution prevention:

SECTION 2676. 299.13 (1m) (f) of the statutes is created to read:

299.13 **(1m)** (f) Reducing energy use.

SECTION 2677. 299.13 (1m) (g) of the statutes is created to read:

299.13 **(1m)** (g) Training employes to minimize waste.

SECTION 2678. 299.13 (2) (a) of the statutes is amended to read:

299.13 **(2)** (a) Designate an employe of the department to serve as ~~hazardous~~ pollution prevention coordinator and to do all of the following:

2. Recommend educational priorities to the university of Wisconsin–extension for the ~~program~~ center, considering volume and toxicity of hazardous substances, toxic pollutants and hazardous waste produced, lack of compliance with environmental standards, potential for ~~hazardous~~ pollution prevention and projected shortfalls in hazardous waste treatment or disposal facilities under the capacity assurance plan.

3. Coordinate the department's ~~hazardous~~ pollution prevention efforts with those of other governmental agencies and private groups.

4. Provide training concerning ~~hazardous~~ pollution prevention to employes of the department.

SECTION 2679. 299.13 (2) (b) of the statutes is amended to read:

299.13 **(2)** (b) Identify all department requirements for reporting on ~~hazardous~~ pollution prevention and, to the extent possible and practical, standardize, coordinate and consolidate the reporting in order to minimize duplication and provide useful information on ~~hazardous~~ pollution prevention to the legislature and the public.

SECTION 2680. 299.13 (2) (d) of the statutes is amended to read:

299.13 **(2)** (d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

SECTION 2680v. 299.15 (3) (cm) 1. of the statutes is created to read:

299.15 **(3)** (cm) 1. In fiscal year 1999–2000, the department may not charge total fees under par. (am) that exceed $7,450,000.

SECTION 2681. 299.15 (3) (cm) 2. of the statutes is amended to read:

299.15 **(3)** (cm) 2. In any fiscal year after fiscal year 1999–2000, the department may not charge total fees under par. (am) that exceed ~~$7,450,000~~ $7,925,000.

SECTION 2681e. 299.15 (3) (e) of the statutes is created to read:

299.15 **(3)** (e) In the rules under par. (am) 3. for fees required to be paid in fiscal years beginning with fiscal year 2000–01, the department shall do all of the following:

1. Use the fees paid by a person in fiscal year 1999–2000 as the basis for the person's fees.

2. Determine the fee for each person based on the number of units of pollutants discharged by the person, using a 5–year rolling average.

3. Use a performance–based approach that increases a person's fees in proportion to increases in the number of units of pollutants discharged by the person, as determined under subd. 2., and decreases a person's fees in proportion to decreases in the number of units of pollutants discharged by the person, as determined under subd. 2.

4. Omit any multiplier or similar mechanism that would increase a person's fees in order to compensate for decreases in overall amounts of discharges.

5. Omit any provision that would increase the fee per unit of pollutant discharged in order to compensate for decreases in overall amounts of discharges.

SECTION 2681k. 299.47 of the statutes is created to read:

299.47 Sale and delivery of dry cleaning solvent. (1) In this section:

(a) "Dry cleaning facility" has the meaning given in s. 292.65 (1) (d).

(b) "Dry cleaning solvent" has the meaning given in s. 292.65 (1) (e).

(c) "Owner" means a person who owns, or has possession or control of, a dry cleaning facility, or who receives direct or indirect consideration from the operation of a dry cleaning facility.

(2) A supplier of dry cleaning solvent may not sell or deliver to the owner or operator of a dry cleaning facility any dry cleaning solvent unless the dry cleaning facility is licensed under s. 77.9961 (2).

(3) Any person who violates sub. (2) may be required to forfeit not more than $500 for each violation.

SECTION 2682. 299.95 of the statutes is amended to read:

299.95 Enforcement; duty of department of justice; expenses. The attorney general shall enforce chs. 281 to 285 and 289 to 295 and this chapter, except ss. 281.48, 285.57, 285.59 and 299.64, and all rules, special orders, licenses, plan approvals and permits of the department, except those promulgated or issued under ss. 281.48, 285.57, 285.59 and 299.64 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 2682m. 299.97 (1) of the statutes is amended to read:

299.97 **(1)** Any person who violates this chapter, except s. 299.15 (1), 299.47 (2), 299.51 (4) (b), 299.53 (2) (a) or (3), 299.62 (2) or 299.64 (2), or any rule promulgated or any plan approval, license or special order issued under this chapter, except under those sections, shall for-

feit not less than $10 nor more than $5,000, for each violation. Each day of continued violation is a separate offense. While the order is suspended, stayed or enjoined, this penalty does not accrue.

SECTION 2683d. 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)~~ or a secured group home.

SECTION 2684d. 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 2685d. 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 2686d. 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 2687d. 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 2688d. 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 or any personal identifying information, as defined in s. 943.201 (1) (b), of an individual who is not a prisoner.

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(b) The department may not enter into any contract or other agreement if, in the performance of the contract or agreement, a prisoner would perform data entry services or telemarketing services and have access to any information that may serve to identify a minor.

SECTION 2689m. 301.03 (3c) of the statutes is amended to read:

301.03 **(3c)** If requested by the department of health and family services, contract with that department to supervise and provide services to persons who are conditionally transferred or discharged under s. 51.37 (9), conditionally released under s. 971.17 (3) or placed on supervised release under s. 980.06 (2), 1997 stats., or s. 980.08.

SECTION 2690d. 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 or secured child caring institutions 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 2691d. 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 2692d. 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 2692e. 301.048 (2) of the statutes is renumbered 301.048 (2) (am), and 301.048 (2) (am) (intro.) and 2., as renumbered, are amended to read:

301.048 **(2)** (am) (intro.) ~~A~~ Except as provided in par. (bm), a person enters the intensive sanctions program only if he or she has been convicted of a felony and only under one of the following circumstances:

2. He or she is a prisoner serving a felony sentence not punishable by life imprisonment and the department directs him or her to participate in the program. This ~~paragraph~~ subdivision does not apply to a prisoner serving a bifurcated sentence imposed under s. 973.01.

SECTION 2692m. 301.048 (2) (bm) of the statutes is created to read:

301.048 **(2)** (bm) 1. In this paragraph, "violent offense" means:

a. A crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (3), (4) or (5), 940.195 (3), (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011,

943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.30, 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08 or 948.30.

b. A crime under federal law, the law of any other state or, prior to the effective date of this subdivision 1. b. .... [revisor inserts date], the law of this state that is comparable to a crime specified in subd. 1. a.

2. A person who has at any time been convicted, adjudicated delinquent or found not guilty or not responsible by reason of insanity or mental disease, defect or illness of or for a violent offense is not eligible for the intensive sanctions program.

SECTION 2692s. 301.048 (4) (a) of the statutes is amended to read:

301.048 **(4)** (a) A participant is in the custody and under the control of the department, subject to its rules and discipline. A participant entering the program under sub. (2) ~~(a) or (b)~~ (am) 1. or 2. is a prisoner. A participant entering the program under sub. (2) ~~(c)~~ (am) 3. is a prisoner, except that he or she is a parolee for purposes of revocation. A participant entering the program under sub. (2) ~~(cm)~~ (am) 3m. is a prisoner, except that he or she remains a person on extended supervision for purposes of revocation. A participant entering the program under sub. (2) ~~(d)~~ (am) 4. is a prisoner, except that he or she remains a probationer, parolee or person on extended supervision, whichever is applicable, for purposes of revocation.

SECTION 2693d. 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 2694d. 301.08 (1) (b) 4. of the statutes is created to read:

301.08 **(1)** (b) 4. Contract with not more than 5 counties or with not more than 5 consortia of counties for the operation of not more than 5 secured group homes for the placement of juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s. 983.183 or 938.34 (4m). The contract shall specify that the county or counties operating a 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 2695m. 301.16 (1q) of the statutes is created to read:

301.16 **(1q)** The department shall establish probation and parole holding facilities, one of which shall be the probation and parole holding and alcohol and other drug abuse treatment facility in the city of Milwaukee, as enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b) 1.

SECTION 2698g. 301.16 (1v) of the statutes is created to read:

301.16 **(1v)** In addition to the institutions under sub. (1), the department shall establish a medium security correctional institution in Chippewa Falls.

SECTION 2698m. 301.18 (1) (c) of the statutes is created to read:

301.18 **(1)** (c) Provide the facilities necessary for the correctional institution under s. 301.16 (1v) using the Highview building located at the Northern Wisconsin Center for the Developmentally Disabled and converted to a correctional facility under 1999 Wisconsin Act .... (this act), section 9107 (1) (b) 1.

SECTION 2699d. 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 2701d. 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),~~ 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 or secured child caring institution for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

SECTION 2702d. 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 2703d. 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 **(4)** (d) 2. Beginning on July 1, ~~1997~~ 1999, and ending on December 31, ~~1997~~ 1999, the per person daily cost assessment to counties shall be ~~$150.44~~ $153.01 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$150.44~~ $153.01 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$160.22~~ $183.72 for care in a child caring institution, including a secured child caring institution, ~~$111.16~~ $118.93 for care in a group home for children, ~~$24.78~~ $26.17 for care in a foster home, ~~$71.35~~ $75.37 for care in a treatment foster home, ~~$88.19~~ $72.66 for departmental corrective sanctions services and ~~$16.98~~ $19.76 for departmental aftercare services.

SECTION 2703e. 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 **(4)** (d) 3. In calendar year ~~1998~~ 2000, the per person daily cost assessment to counties shall be ~~$154.94~~ $153.55 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$154.94~~ $153.55 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$161.79~~ $187.21 for care in a child caring institution, including a secured child caring institution, ~~$112.25~~ $121.19 for care in a group home for children, ~~$25.02~~ $26.67 for care in a foster home, ~~$72.05~~ $76.80 for care in a treatment foster home, ~~$80.41~~ $74.68 for departmental corrective sanctions services and ~~$17.18~~ $19.15 for departmental aftercare services.

SECTION 2703f. 301.26 (4) (d) 4. of the statutes is amended to read:

301.26 **(4)** (d) 4. Beginning on January 1, ~~1999~~ 2001, and ending on June 30, ~~1999~~ 2001, the per person daily cost assessment to counties shall be ~~$159.46~~ $154.08 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$159.46~~ $154.08 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$163.36~~ $190.70 for care in a child caring institution, including a secured child caring institution, ~~$113.34~~ $123.45 for care in a group home for children, ~~$25.26~~ $27.16 for care in a foster home, ~~$72.75~~ $78.23 for care in a treatment foster home, ~~$74.35~~ $76.71 for departmental corrective sanctions services and ~~$17.39~~ $18.62 for departmental aftercare services.

SECTION 2706d. 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 2709. 301.26 (4) (g) of the statutes is amended to read:

301.26 **(4)** (g) For juvenile field and institutional aftercare services under ch. 938 and for the office of juvenile offender review, all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be ~~deposited in the general fund and shall be treated as a nonappropriated receipt~~ credited to the appropriation account under s. 20.410 (3) (hm).

SECTION 2709g. 301.26 (7) (intro.) of the statutes is amended to read:

301.26 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~1997~~ 1999, and ending on June 30, ~~1999~~ 2001, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 2709h. 301.26 (7) (a) of the statutes is renumbered 301.26 (7) (a) (intro.) and amended to read:

301.26 **(7)** (a) (intro.) For community youth and family aids under this section, amounts not to exceed ~~$41,649,700~~ $42,091,800 for the last 6 months of ~~1997, $82,741,700~~ 1999, $85,183,700 for ~~1998~~ 2000 and ~~$41,091,900~~ $43,091,900 for the first 6 months of ~~1999.~~ 2001. Of those amounts, the department shall allocate $1,000,000 for the last 6 months of 1999, $3,000,000 for 2000 and $2,000,000 for the first 6 months of 2001 to counties based on each of the following factors weighted equally:

SECTION 2709i. 301.26 (7) (a) 1. of the statutes is created to read:

301.26 **(7)** (a) 1. Each county's proportion of the total statewide juvenile population for the most recent year for which that information is available.

SECTION 2709j. 301.26 (7) (a) 2. of the statutes is created to read:

301.26 **(7)** (a) 2. Each county's proportion of the total Part I juvenile arrests reported statewide under the uniform crime reporting system of the office of justice assistance during the most recent 3–year period for which that information is available.

SECTION 2709k. 301.26 (7) (a) 3. of the statutes is created to read:

301.26 **(7)** (a) 3. Each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional institution or a secured child caring institution, as defined in s. 938.02 (15g), during the most recent 3–year period for which that information is available.

SECTION 2709L. 301.26 (7) (a) 3. of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

301.26 **(7)** (a) 3. Each county's proportion of the number of juveniles statewide who are placed in a ~~juvenile correctional institution or~~ secured correctional facility, a secured child caring institution~~, as defined in s. 938.02 (15g),~~ or a secured group home during the most recent 3–year period for which that information is available.

SECTION 2709m. 301.26 (7) (e) of the statutes is amended to read:

301.26 **(7)** (e) For emergencies related to community youth and family aids under this section, amounts not to exceed $125,000 for the last 6 months of ~~1997~~ 1999, $250,000 for ~~1998~~ 2000 and $125,000 for the first 6 months of ~~1999~~ 2001. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

SECTION 2709n. 301.26 (7) (h) of the statutes is amended to read:

301.26 **(7)** (h) For counties that are participating in the corrective sanctions program under s. 938.533 (2), $1,062,400 in the last 6 months of ~~1997~~ 1999, $2,124,800 in ~~1998~~ 2000 and $1,062,400 in the first 6 months of ~~1999~~ 2001 for the provision of corrective sanctions services for juveniles from that county. In distributing funds to counties under this paragraph, the department shall determine a county's distribution by dividing the amount allocated under this paragraph by the number of slots authorized for the program under s. 938.533 (2) and multiplying the quotient by the number of slots allocated to that county by agreement between the department and the county. The department may transfer funds among counties as necessary to distribute funds based on the number of slots allocated to each county.

SECTION 2709p. 301.26 (8) of the statutes is amended to read:

301.26 **(8)** ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the allocations specified in sub. (7) (a), the department shall allocate $666,700 in the last 6 months of ~~1997~~ 1999, $1,333,400 in ~~1998~~ 2000 and $666,700 in the first 6 months of ~~1999~~ 2001 for alcohol and other drug abuse treatment programs.

SECTION 2709r. 301.263 (1) of the statutes is amended to read: **Vetoed In Part**

301.263 **(1)** From the appropriation under s. 20.410 (3) (f), the department shall distribute ~~$3,750,000~~ $5,000,000 in each year to counties for early intervention services for first offenders and for intensive community–based intervention services for seriously chronic offenders.

SECTION 2710d. 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 2710m. 301.265 (3) of the statutes is amended to read:

301.265 **(3)** From the appropriations under s. 20.410 (3) (d) and (kj), the department shall allocate $150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, $150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, $150,000 in each fiscal year to enter into a contract with an organization that is located in ward 1 in the city of Racine to provide services in Racine County and ~~$75,000~~ $150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion pro-

gram. The organization that is located in ward 1 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 2711. 301.27 (2) of the statutes is amended to read:

301.27 **(2)** VENDING STANDS. The department shall establish and maintain a revolving fund not exceeding ~~$60,000~~ $100,000 in any of the state institutions administered by the department, for the education, recreation and convenience of the patients, inmates and employes, to be used for the operation of vending stands, canteen operations, reading clubs, musical organizations, religious programs, athletics and similar projects. The funds are exempt from s. 20.906, but are subject to audit by the department and the legislative audit bureau in its discretion.

SECTION 2712d. 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 2713d. 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, with respect to their adequacy and fitness for the needs which they are to serve.

SECTION 2714d. 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 2715d. 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 2716d. 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 or a secured group home, he or she is subject to this subsection upon being released on parole, extended supervision or aftercare supervision.

SECTION 2717j. 301.45 (3) (a) 3r. of the statutes is amended to read:

301.45 **(3)** (a) 3r. If the person has been committed under ch. 980, he or she is subject to this subsection upon being placed on supervised release under s. 980.06 (2), 1997 stats., or s. 980.08 or, if he or she was not placed on supervised release, before being discharged under s. 980.09 or 980.10.

SECTION 2717m. 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 or a secured group home, 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 peniten-

tiary at the village of Sturtevant in Racine county is named "Racine Correctional Institution". The medium security penitentiary at Racine is named "Racine Youthful Offender Correctional Facility". The resource facility at Oshkosh is named "Wisconsin Resource Center". The institutions named in this section, the correctional ~~institution~~ institutions authorized under s. 301.16 (1n) and (1v), correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution authorized under s. 301.046 (1), correctional institution authorized under s. 301.048 (4) (b), minimum security correctional institutions authorized under s. 301.13, the probation and parole holding facilities authorized under s. 301.16 (1q) and state–local shared correctional facilities when established under s. 301.14, are state prisons.

SECTION 2718e. 303.01 (2) (em) of the statutes is amended to read:

303.01 **(2)** (em) Lease space, with or without equipment, within the precincts of state prisons, as specified in s. 302.02, or within the confines of correctional institutions operated by the department for holding in secure custody persons adjudged delinquent, to not more than 6 private businesses to employ prison inmates and institution residents to manufacture products or components or to provide services for sale on the open market. The department shall comply with s. 16.75 in selecting businesses under this paragraph. The department may enter into a contract under this paragraph only with the approval of the joint committee on finance. The department may not enter into or amend a contract under this paragraph unless the contract or amendment specifies each state prison or juvenile correctional institution at which the private business will employ inmates or institution residents. The private business may not employ inmates or institution residents at a state prison or juvenile correctional institution not specified in the contract without the approval of the joint committee on finance. The department shall consult with appropriate trade organizations and labor unions prior to issuing requests for proposals and prior to selecting proposals under this paragraph. Each such private business may conduct its operations as a private business, subject to the wage standards under sub. (4), the disposition of earnings under sub. (8), the provisions regarding displacement in sub. (11), the requirements for notification and hearing under sub. (1) (c), the requirement for prison industries board approval under s. 303.015 (1) (b) and the authority of the department to maintain security and control in its institutions. The private business and its operations are not a prison industry. Inmates employed by the private business are not subject to the requirements of inmates participating in prison industries, except as provided in this paragraph;

Vetoed In Part

SECTION 2718em. 303.01 (2) (em) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

SECTION 2718g. 303.01 (8) (b) of the statutes is amended to read:

Vetoed In Part

303.01 **(8)** (b) The department shall distribute earnings of an inmate or resident~~, other than an inmate or resident employed under sub. (2) (em),~~ for the crime victim and witness assistance surcharge under s. 973.045 (4), for the delinquency victim and witness assistance surcharge under s. 938.34 (8d) (c), for the deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance with s. 303.06 (2) and may distribute earnings for the support of the inmate's or resident's dependents and for other obligations either acknowledged by the inmate or resident in writing or which have been reduced to judgment that may be satisfied according to law.

SECTION 2718h. 303.01 (8) (c) of the statutes is repealed.

SECTION 2718L. 303.01 (8) (d) of the statutes is repealed.

SECTION 2718p. 303.01 (8) (e) of the statutes is repealed.

SECTION 2718q. 303.01 (11) of the statutes is created to read:

303.01 **(11)** DISPLACEMENT. (a) In this subsection:

1. "Displace an employe" means to lay off an employe in this state as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract or to permanently transfer an employe in this state to another job that reduces the employe's base pay, excluding overtime, differentials and bonuses, by more than 25% as a direct result of work being performed in a state prison or juvenile correctional institution under a prison contract.

2. "Prison contract" means a contract entered into by the department under sub. (2) (em).

3. "Private employer" means a private business that is a party to a prison contract.

(b) A private employer may not displace an employe or cause another private business to displace an employe.

(c) A private employer may not employ inmates or institution residents under a prison contract if any of the following applies:

1. The inmates or institution residents are to be employed in a skill, craft or trade in which there is a surplus of available labor in the locality of the private employer.

2. The employment of the inmates or institution residents will impair the performance of other contracts to which the private employer is a party.

3. The inmates or institution residents will replace employes who are on strike against the private employer or locked out of work.

(d) A private employer shall post in all of its workplaces a notice provided by the department containing a description of the nature of the prison contract and an explanation of what it means for an employe of a private

employer to be displaced under this subsection and identifying a person at the department whom an employe of a private employer may contact if the employe believes that he or she may have been displaced by a prison contract.

Vetoed In Part

SECTION 2718qm. 303.01 (11) of the statutes, as created by 1999 Wisconsin Act .... (this act), is repealed.

SECTION 2718v. 303.06 (3) of the statutes is repealed.

SECTION 2718w. 303.08 (1) (cn) of the statutes is created to read:

303.08 **(1)** (cn) Attending court proceedings to which the person is a party or for which the person has been subpoenaed as a witness;

SECTION 2718wc. 303.08 (5) (a) of the statutes is renumbered 303.08 (5) (cg).

SECTION 2718wg. 303.08 (5) (b) of the statutes is amended to read:

303.08 **(5)** (b) Necessary travel expense to and from work ~~and other~~;

(cr) Other incidental expenses of the prisoner;

SECTION 2718wL. 303.08 (5) (c) of the statutes is amended to read:

303.08 **(5)** (c) ~~Support~~ Court–ordered support of the prisoner's dependents, if any;

SECTION 2718wq. 303.08 (5m) of the statutes is amended to read:

303.08 **(5m)** A county may receive payments under sub. (5) ~~(a) and~~ (b), (cg) and (cr) or seek reimbursement under s. 302.372, but may not collect for the same expenses twice.

Vetoed In Part

SECTION 2718y. 303.21 (1) (b) of the statutes is amended to read:

303.21 **(1)** (b) Inmates are included under par. (a) if they are participating in a structured work program away from the institution grounds under s. 302.15 or a secure work program under s. 303.063. Inmates are not included under par. (a) if they are employed in a prison industry under s. 303.06 (2), participating in a work release program under s. 303.065 (2)~~, participating in employment with a private business under s. 303.01 (2) (em)~~ or participating in the transitional employment program, but they are eligible for worker's compensation benefits under ch. 102. Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are eligible for worker's compensation benefits under ch. 102.

SECTION 2718yn. 304.137 of the statutes is renumbered 304.137 (1) and amended to read:

304.137 **(1)** PERSONS RELEASED OR PLACED ON PROBATION BEFORE JANUARY 1, 2000. If the department accepts supervision of a probationer, person on extended supervision or parolee from another state under s. 304.13 or 304.135 and the person was placed on probation or released on parole or extended supervision before January 1, 2000, the department shall determine whether the violation of law for which the person is on probation, extended supervision or parole is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025. If the department determines that a person on probation, extended supervision or parole from another state who is subject to this subsection violated a law that is comparable to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the department shall direct the probationer, person on extended supervision or parolee to provide a biological specimen under s. 165.76.

SECTION 2718z. 304.137 (2) of the statutes is created to read:

304.137 **(2)** PERSONS RELEASED OR PLACED ON PROBATION ON OR AFTER JANUARY 1, 2000. If the department accepts supervision of a probationer, person on extended supervision or parolee from another state under s. 304.13 or 304.135 and the person was placed on probation or released on parole or extended supervision on or after January 1, 2000, the department shall determine whether the violation of law for which the person is on probation, extended supervision or parole would constitute a felony if committed by an adult in this state. If the department determines that a person on probation, extended supervision or parole from another state who is subject to this subsection violated a law that would constitute a felony if committed by an adult in this state, the department shall direct the probationer, person on extended supervision or parolee to provide a biological specimen under s. 165.76.

SECTION 2720dd. 340.01 (11) (intro.) of the statutes is amended to read:

340.01 **(11)** (intro.) "Dealer" means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, or who is engaged wholly or in part in the business of selling motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, whether or not such vehicles are owned by that person, but not including:

SECTION 2720dh. 340.01 (14) of the statutes is amended to read:

340.01 **(14)** "Distributor" means a person who in whole or in part sells or distributes motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers to dealers, or who maintains distributor representatives.

SECTION 2720dp. 340.01 (28) of the statutes is amended to read:

340.01 **(28)** "Manufacturer" means a person who manufactures or assembles motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, or who manufactures or installs on previously assembled truck chassis special bodies or equipment which when installed form an integral part of the motor vehicle and which constitutes a major manufacturing alteration.

SECTION 2720dt. 340.01 (29) of the statutes is amended to read:

340.01 **(29)** "Mobile home" means a vehicle designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction. ~~A mobile home exceeding statutory size under s. 348.07 (2) shall be considered a primary housing unit. A mobile home not exceeding the statutory size under s. 348.07 (2) shall be considered a touring or recreational unit.~~

SECTION 2720du. 340.01 (29m) (a) of the statutes is amended to read:

340.01 **(29m)** (a) A bicycle–type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than ~~50~~ 130 cubic centimeters or an equivalent power unit.

SECTION 2720hd. 340.01 (48r) of the statutes is created to read:

340.01 **(48r)** "Recreational vehicle" means a mobile home that does not exceed the statutory size under s. 348.07 (2).

SECTION 2720hh. 340.01 (72) (a) of the statutes is amended to read:

340.01 **(72)** (a) A person engaged in this state in the business of transporting and delivering motor vehicles, trailers, semitrailers or ~~mobile home~~s recreational vehicles in tow on their own wheels or under their own power from the manufacturer to the distributor, dealer or branch of the manufacturer, or from the distributor or dealer to another distributor or dealer, the manufacturer or branch of the manufacturer or from the branch of the manufacturer to the distributor, dealer or manufacturer.

SECTION 2720hp. 341.04 (1) (intro.) of the statutes is amended to read:

341.04 **(1)** (intro.) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer or any other vehicle for which a registration fee is specifically prescribed unless at the time of operation the vehicle in question either is registered in this state, or, except for registration under s. 341.30 or 341.305, a complete application for registration, including evidence of any inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department, submitted to a dealer under s. 341.09 (2m) for transmittal to the department or deposited in the mail properly addressed with postage prepaid and, if the vehicle is an automobile, station wagon or motor truck having a registered weight of 8,000 pounds or less, the vehicle displays a temporary operation plate issued for the vehicle unless the operator or owner of the vehicle produces proof that operation of the vehicle is within 2 business days of the vehicle's sale or transfer, or the vehicle in question is exempt from registration.

SECTION 2720hr. 341.05 (26) of the statutes is created to read:

341.05 **(26)** (a) Is a mobile home, as defined in s. 101.91 (2e), or a manufactured home, as defined in s. 101.91 (2).

(b) Is a structure that is transportable in one or more sections and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, if the structure's manufacturer voluntarily files a certification required by the secretary of the U.S. department of housing and urban development and complies with regulations established under 42 USC 5401 to 5425.

SECTION 2720ht. 341.12 (1) of the statutes is amended to read:

341.12 **(1)** The department upon registering a vehicle pursuant to s. 341.25 or 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an automobile, motor truck, motor bus, school bus, self–propelled ~~mobile home~~ recreational vehicle or dual purpose motor home and one plate for other vehicles. The department upon registering a vehicle pursuant to any other section shall issue one plate unless the department determines that 2 plates will better serve the interests of law enforcement.

SECTION 2721. 341.135 (1) of the statutes is amended to read:

Vetoed In Part

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 paragraph does not apply to registration plates issued under s. 341.14 (6r) (f) 52., 1997 stats. This paragraph does not apply after June 30, 2005.

SECTION 2723. 341.135 (2) (a) 2. of the statutes is created to read:

341.135 **(2)** (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations initially effective on July 1, 2005, upon receipt of a completed application to initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), or s. 341.25 (1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3) (a) 1. or (am), or to renew the registration of a vehicle under those sections for which a registration plate has not been issued during the previous 6 years, the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established for that 6–year period under sub. (1).

SECTION 2724. 341.135 (2) (e) of the statutes is amended to read:

341.135 **(2)** (e) The department shall issue new registration plates of the design established under sub. (1) for every vehicle registered under ~~ss.~~ s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) ~~and~~ or (j) ~~and~~ or (2) (a), (b) ~~and~~ or (c) ~~and~~ or 341.26 (2) ~~and~~ or (3) (a) 1. ~~and~~ or (am) ~~by July 1, 2003~~ within 5 years after the date specified in sub. (1), except that the department may not issue registration plates of a new design for a vehicle registered under s. 341.14 (6r) (f) 53. until January 1, 2005.

Vetoed In Part

Vetoed In Part

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 2726v. 341.14 (6r) (bm) of the statutes is created to read:

Vetoed In Part

341.14 **(6r)** (bm) Upon receipt of an application for a special group plate under par. (f) 53., a person authorized to issue registration plates shall forward the application to the department's special license plate unit. The department may not charge a fee for forwarding an application under this paragraph.

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 2730m. 341.25 (1) (intro.) of the statutes is amended to read:

341.25 **(1)** (intro.) Unless a different fee is prescribed for a particular vehicle by par. (b) or ss. 341.26 to 341.268, the following registration fees shall be paid to the department for the annual registration of each motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer not exempted by s. 341.05 from registration in this state:

SECTION 2731. 341.25 (1) (gd) of the statutes is amended to read:

341.25 **(1)** (gd) For each trailer or semitrailer ~~or camping trailer~~ having a gross weight of 3,000 pounds or less and used for hire or rental, a fee which is one–half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck. A trailer under this paragraph which is part of a fleet of 100 or more trailers used for hire or rental may be registered under s. 341.308.

SECTION 2732. 341.25 (1) (i) of the statutes is amended to read:

341.25 **(1)** (i) For each mobile home, and for each camping trailer ~~having a gross weight of more than 3,000 pounds~~, a fee of $15.

SECTION 2732d. 341.25 (1) (i) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

341.25 **(1)** (i) For each ~~mobile home~~ recreational vehicle, and for each camping trailer, a fee of $15.

SECTION 2734b. 341.26 (2g) of the statutes is repealed.

SECTION 2734dd. 341.47 (1) (intro.) of the statutes is amended to read:

341.47 **(1)** (intro.) Except as provided in sub. (2), any motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer owned or repossessed by a dealer, distributor or manufacturer may be operated on the highways of this state for either private or business purposes without being registered if such vehicle has displayed upon it valid registration plates issued pursuant to s. 341.51 to the dealer, distributor or manufacturer who is the owner of the vehicle or holder of the repossessed vehicle and such vehicle:

SECTION 2734dh. 341.51 (1) of the statutes is amended to read:

341.51 **(1)** The department shall register a person as a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers or as a transporter of vehicles upon receipt of a properly completed application form together with a fee of $75 and upon being satisfied that the applicant is by law entitled to be registered. The department shall register a person as a dealer, distributor or manufacturer of ~~mobile homes~~ recreational vehicles upon receipt of a properly completed application form together with a fee of $75 and upon being satisfied that the applicant is by law entitled to be so registered. The department shall assign to each person registered under this section a distinctive registration number and shall issue a certificate of registration bearing the registration number assigned.

SECTION 2734dp. 341.51 (2) of the statutes is amended to read:

341.51 **(2)** Upon registering a dealer, distributor, manufacturer or transporter the department also shall issue 2 registration plates. The department, upon receiving a fee of $5 for each additional plate desired by a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers, $5 for each additional plate desired by a dealer, distributor or manufacturer of ~~mobile homes~~ recreational vehicles and $5 for each additional plate desired by a transporter, shall issue to the registered dealer, distributor, manufacturer or transporter the additional plates as ordered. The department may charge a fee of $2 per plate for replacing lost, damaged or illegible plates issued under this subsection.

SECTION 2734dq. 341.51 (4) (am) of the statutes is amended to read:

341.51 **(4)** (am) ~~If~~ Except as provided in par. (an), if the applicant is an individual, the social security number of the individual.

SECTION 2734dr. 341.51 (4) (an) of the statutes is created to read:

341.51 **(4)** (an) If the applicant is an individual who does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of work-

force development. A registration that is issued under this section in reliance on a statement submitted under this paragraph is invalid if the statement is false.

SECTION 2734dt. 341.53 of the statutes is amended to read:

341.53 Expiration of registration; transferability of plates. Certificates of registration and registration plates issued to dealers, distributors, manufacturers or transporters shall be issued for the calendar year and are valid only during the calendar year for which issued. Registration plates are transferable from one motor vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and from one ~~mobile home~~ recreational vehicle to another.

SECTION 2734hd. 341.62 of the statutes is amended to read:

341.62 False evidence of registration. Whoever operates or possesses a motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer having attached thereto any plate or similar device fashioned in imitation or facsimile of or altered so as to resemble a registration plate issued by the department may be required to forfeit not more than $500.

SECTION 2734he. 342.06 (1) (eg) of the statutes is amended to read:

342.06 **(1)** (eg) ~~If~~ Except as provided in par. (eh), if the applicant is an individual, the social security number of the applicant. The department of transportation may not disclose a social security number obtained under this paragraph to any person except to the department of workforce development for the sole purpose of administering s. 49.22.

SECTION 2734hed. 342.06 (1) (eh) of the statutes is created to read:

342.06 **(1)** (eh) If the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A certificate of title that is issued in reliance on a statement submitted under this paragraph is invalid if the statement is false.

SECTION 2734hem. 342.07 (1) of the statutes is renumbered 342.07 (1) (intro.) and amended to read:

342.07 **(1)** Application for registration of and a new certificate of title for a repaired salvage vehicle must be accompanied by ~~the~~ all of the following:

(a) The required fees~~, a.~~

(b) A properly assigned salvage certificate of title or a properly assigned certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle ~~and any.~~

(c) Any other transfer document required by law~~, and by the.~~

(d) The certificate of inspection under sub. (4).

SECTION 2734hep. 342.07 (2) (a) of the statutes is amended to read:

342.07 **(2)** (a) To determine whether the vehicle is the same vehicle for which the ~~salvage~~ title ~~in~~ submitted under sub. (1) was issued;

SECTION 2734hf. 342.10 (1) (d) of the statutes is amended to read:

342.10 **(1)** (d) A description of the vehicle, including make, model and identification number, except that if the vehicle was last registered in another jurisdiction the make and model contained in the certificate shall be the make and model contained in the last certificate of title issued by the other jurisdiction.

SECTION 2734hg. 342.14 (1r) of the statutes is amended to read:

342.14 **(1r)** Upon filing an application under sub. (1) or (3) before the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $5, by the person filing the application. Upon filing an application under sub. (1) or (3) on or after the first day of the 2nd month beginning after the effective date of this subsection .... [revisor inserts date], an environmental impact fee of $6, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management. ~~This subsection does not apply after June 30, 2001.~~ **Vetoed In Part**

SECTION 2734hgd. 342.15 (2) of the statutes is amended to read:

342.15 **(2)** Except as provided in s. 342.16 ~~with respect to a vehicle which is not a salvage vehicle~~, the transferee shall, promptly after delivery to him or her of the vehicle, execute the application for a new certificate of title in the space provided ~~therefor~~ on the certificate or as the department prescribes, and ~~cause~~ deliver or mail the certificate and application ~~to be mailed or delivered~~ to the department. A salvage vehicle purchaser shall comply with s. 342.065 (1) ~~(b)~~ (a).

SECTION 2734hgf. 342.15 (3) of the statutes is amended to read:

342.15 **(3)** Except as provided in s. 342.16 ~~with respect to a vehicle which is not a salvage vehicle~~ and as between the parties, a transfer by an owner is not effective until the provisions of this section have been complied with. An owner who has delivered possession of the vehicle to the transferee and has complied with the provisions of this section ~~requiring action by him or her~~ is not liable as owner for any damages thereafter resulting from operation of the vehicle.

SECTION 2734hgh. 342.15 (6) of the statutes is amended to read:

342.15 **(6)** (a) Except as provided in s. 342.16 ~~with respect to a vehicle which is not a salvage vehicle~~, any transferee of a vehicle who fails to make application for a new certificate of title immediately upon transfer to him or her of a vehicle may be required to forfeit not more than $200. A certificate is considered to have been applied for when the application accompanied by the

required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid.

(b) Except as provided in s. 342.16 ~~with respect to a vehicle which is not a salvage vehicle~~, any transferee of a vehicle who with intent to defraud fails to make application for a new certificate of title immediately upon transfer to him or her of a vehicle may be fined not more than $1,000 or imprisoned for not more than 30 days or both. A certificate is considered to have been applied for when the application accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid.

SECTION 2734hgj. 342.16 (1) (a) of the statutes is amended to read:

342.16 **(1)** (a) Except as provided in par. (c), if a dealer acquires a new or used vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for sale on consignment, the dealer may not submit to the department the certificate of title or application for certificate of title naming the dealer as owner of the vehicle. Upon transferring the vehicle to another person, the dealer shall immediately give the transferee on a form prescribed by the department a receipt for all title, registration, security interest and sales tax moneys paid to the dealer for transmittal to the department when required. The dealer shall promptly execute the assignment and warranty of title, showing the name and address of the transferee and of any secured party holding a security interest created or reserved at the time of the resale or sale on consignment, in the spaces provided therefor on the certificate or as the department prescribes. Within 7 business days following the sale or transfer, the dealer shall mail or deliver the certificate or application for certificate to the department with the transferee's application for a new certificate. A nonresident who purchases a motor vehicle from a dealer in this state may not, unless otherwise authorized by rule of the department, apply for a certificate of title issued for the vehicle in this state unless the dealer determines that a title is necessary to protect the interests of a secured party. The dealer is responsible for determining whether a title and perfection of security interest is required. The dealer is liable for any damages incurred by the department or any secured party for the dealer's failure to perfect a security interest which the dealer had knowledge of at the time of sale.

SECTION 2734hgm. 342.16 (1) (c) of the statutes is amended to read:

342.16 **(1)** (c) Except when all available spaces for a dealer's or wholesaler's reassignment on a certificate of title have been completed or as otherwise authorized by rules of the department, a dealer or wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for sale on consignment may not apply for a certificate of title naming the dealer or wholesaler as owner of the vehicle. The rules may regulate the frequency of application by a dealer or wholesaler for transfer of registration or credits for registration from a previously registered vehicle to another vehicle that the dealer or wholesaler intends to register in his or her own name.

SECTION 2734hgo. 342.16 (1) (d) of the statutes is amended to read:

342.16 **(1)** (d) Unless exempted by rule of the department, a dealer or wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and holds it for resale shall make application for a certificate of title naming the dealer or wholesaler as owner of the vehicle when all of the available spaces for a dealer's or wholesaler's reassignment on the certificate of title for such vehicle have been completed.

SECTION 2734hh. 342.18 (4) (a) of the statutes is amended to read:

342.18 **(4)** (a) Whenever application therefor accompanied by the required fee is made by a finance company licensed under s. 138.09 or 218.01, a bank organized under the laws of this state, or a national bank located in this state, and the vehicle in question is a used vehicle for which the department had issued a certificate of title to the previous owner or a vehicle previously registered in another jurisdiction or is a ~~mobile home~~ recreational vehicle.

SECTION 2734hp. 342.18 (4) (b) of the statutes is amended to read:

342.18 **(4)** (b) Whenever application therefor accompanied by the required fee is made by any other person and the vehicle in question is a vehicle for which the department had issued a certificate of title to the previous owner or is a vehicle previously registered in another jurisdiction or is a ~~mobile home~~ recreational vehicle and the department is satisfied that the present owner has not operated or consented to the operation of the vehicle since it was transferred to that owner and that he or she understands that the certificate of title merely is evidence of ownership of the vehicle and does not authorize operation of the vehicle on the highways of this state.

SECTION 2734ht. 342.22 (3) (a) of the statutes is amended to read:

342.22 **(3)** (a) For a ~~mobile home~~ recreational vehicle, 20 years.

SECTION 2734pd. 342.30 (2) of the statutes is amended to read:

342.30 **(2)** An identification number assigned by the department to a ~~mobile home~~ recreational vehicle, trailer or semitrailer shall be stamped upon the frame in a readily visible location. An identification number assigned to a motor vehicle manufactured prior to January 1, 1969,

shall be permanently affixed to the left front pillar. The vehicle identification number for motor vehicles manufactured after January 1, 1969, shall be permanently affixed upon either a part of the vehicle that is not designed to be removed except for repair, or a separate plate which is permanently affixed to such part. The vehicle identification number shall be located inside the passenger compartment and shall be readable, without moving any part of the vehicle, through the vehicle glazing under daylight lighting conditions by an observer having 20/20 vision (Snellen) whose eyepoint is located outside the vehicle adjacent to the left windshield pillar. Identification numbers assigned for cycles shall be stamped on the left side, near the top of the engine casting just below the cylinder barrel. Such stamping or affixing shall be done under the supervision of a dealer, distributor or manufacturer registered under s. 341.51 or under the supervision of a peace officer. The person supervising the stamping or affixing shall make a report thereof to the department.

SECTION 2734pt. 343.055 (1) (d) of the statutes is amended to read:

343.055 **(1)** (d) *Recreational vehicle operators.* The operator of the commercial motor vehicle is a person operating a motor home, or a vehicle towing a 5th–wheel mobile home or single–unit ~~touring mobile home not exceeding 45 feet in length~~ recreational vehicle and the vehicle or combination, including both units of a combination towing vehicle and the 5th–wheel mobile home or ~~mobile home~~ recreational vehicle, is both operated and controlled by the person and is transporting only members of the person's family, guests or their personal property. This paragraph does not apply to any transportation for hire or the transportation of any property connected to a commercial activity. In this paragraph, "controlled" means leased or owned.

SECTION 2734qd. 343.06 (1) (cm) of the statutes is created to read:

343.06 **(1)** (cm) To operate "Class D" vehicles to any person under 18 years of age, unless the person has accumulated at least 30 hours of behind–the–wheel driving experience, at least 10 hours of which were during hours of darkness. Each hour of behind–the–wheel driving experience while accompanied by a qualified instructor, as defined in s. 343.07 (5), shall be considered to be 2 hours of behind–the–wheel driving experience, except that no more than 5 hours of behind–the–wheel driving experience while accompanied by a qualified instructor may be counted in this manner. This paragraph does not apply to applicants for a restricted license under s. 343.08 or a special restricted operator's license under s. 343.135. The department may promulgate rules that waive the requirement of accumulating at least 30 hours of behind–the–wheel experience for qualified applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

SECTION 2734qf. 343.07 (1) (a) and (b) of the statutes are consolidated, renumbered 343.07 (1) (a) (intro.) and amended to read:

343.07 **(1)** (a) (intro.) ~~If the permittee is at least 16 years of age, the permittee shall not~~ Except as provided in this subsection, no permittee may operate a motor vehicle unless accompanied by a ~~qualified instructor, or a licensed~~ person ~~with~~ who has at least 2 years of licensed driving experience, who presently holds a valid regular license, ~~occupying~~ as defined in s. 343.03 (3) (a), who occupies the seat beside the permittee~~. No other passengers are allowed in the vehicle except as provided in par. (c) or (cm). (b)~~ and who is one of the following:

1. A ~~permittee under the age of 16 is restricted to operation of a motor vehicle only while accompanied by a~~ qualified instructor~~, the~~ who is 19 years of age or older. If the motor vehicle is equipped with dual controls, up to 3 other persons, in addition to the qualified instructor, may occupy seats in the motor vehicle other than the front seat.

2. The permittee's parent ~~or~~, guardian ~~who meets the other qualifications of par. (a) or a licensed~~ or spouse who is 19 years of age or older. In addition to the parent, guardian or spouse, the permittee's immediate family members may occupy seats in the motor vehicle other than the front seat.

3. A person who is 21 years of age or older ~~who meets the other qualifications of par. (a) and who has~~. If the permittee is under 18 years of age, this subdivision applies only if the licensed person has been designated in writing to accompany the permittee by the permittee's parent or guardian prior to operation of the vehicle by the permittee. ~~Upon reaching the age of 16, the permittee gains the privilege of any other permittee.~~

SECTION 2734qh. 343.07 (1) (bm) of the statutes is created to read:

343.07 **(1)** (bm) Except as provided in par. (a), no permittee may operate a motor vehicle upon a highway in this state whenever any person is in the motor vehicle.

SECTION 2734qp. 343.07 (1) (c) of the statutes is repealed.

SECTION 2734qt. 343.07 (3) of the statutes is amended to read:

343.07 **(3)** DURATION; CANCELLATION. An instruction permit ~~shall be~~ to operate vehicles other than commercial motor vehicles or school buses is valid for ~~6~~ 12 months except that it may be canceled upon receipt of information, by the secretary, of noncompletion or unsatisfactory completion of a driver education and training course by a permittee under the age of 18. An instruction permit to operate commercial motor vehicles or school buses is valid for 6 months.

SECTION 2734rd. 343.085 (1) of the statutes is renumbered 343.085 (1) (a) and amended to read:

343.085 **(1)** (a) Except as provided in par. (b) and sub. (2), the department shall issue a probationary license to

all applicants for an original license. The probationary license shall remain in effect ~~during the entire period of the first issuance of the original license~~ as provided in s. 343.20 (1) (a).

SECTION 2734rh. 343.085 (1) (b) of the statutes is created to read:

343.085 **(1)** (b) The department may not issue a probationary license to operate "Class D" vehicles under this section to an applicant who is under 18 years of age unless the applicant has held an instruction permit issued under s. 343.07 for not less than 6 months and, during the 6–month period immediately preceding application, has not committed a moving violation, specified by the department by rule, resulting in a conviction. The department may promulgate rules to waive the requirement of holding an instruction permit for not less than 6 months for qualified applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

SECTION 2734rp. 343.085 (2m) of the statutes is created to read:

343.085 **(2m)** (a) Except as provided in this subsection, during the 9–month period after issuance of a probationary license under this section, no licensee under 18 years of age may operate a "Class D" vehicle upon a highway in this state:

1. If, in addition to the licensee, the vehicle is occupied by any person other than the following:

a. Any number of members of the licensee's immediate family.

b. A person who meets the requirements under s. 343.07 (1) (a).

c. Not more than one other person not described in subd. 1. a. and b.

2. Between the hours of 12 midnight and 5 a.m., unless the licensee's parent or guardian, or a person who meets the requirements under s. 343.07 (1) (a), occupies the seat beside the licensee, or unless the licensee is traveling between his or her place of residence, school or place of employment.

(am) 1. Paragraph (a) does not apply to any licensee to whom all of the following apply:

a. The licensee is operating the motor vehicle in the service of an organized program that, without compensation, transports teenagers to their homes.

b. The licensee possesses documentation that identifies the program and the licensee and that authorizes the licensee to operate a motor vehicle in service of the program on the date and time of the operation. The documentation is valid only if signed by a person who is at least 25 years of age and associated with the program.

c. The licensee is accompanied by another licensee, other than a teenager who is being transported, who is in the motor vehicle in the service of the program described in subd. 1. a. and who possesses the documentation described in subd. 1. b.

d. The licensee is accompanied by not more than 3 passengers in the vehicle. The licensee described in subd. 1. c. shall not be counted under this subd. 1. d.

2. Paragraph (a) does not apply to any licensee operating the motor vehicle to or from a program described in subd. 1. a., if the licensee possesses documentation described in subd. 1. b. A licensee described in this subdivision may be accompanied by any number of persons also traveling to or from a program described in subd. 1. a.

(ar) Paragraph (a) does not apply to any licensee operating a motor vehicle for emergency purposes.

(b) 1. The department shall extend the restrictions under par. (a) for an additional 6–month period or until the licensee's 18th birthday, whichever occurs earlier, if any of the following occurs while the licensee is subject to the restrictions under par. (a):

a. The licensee commits a moving violation specified by the department by rule, resulting in a conviction of the licensee.

b. The licensee violates par. (a).

c. A court or the department suspends or revokes the licensee's operating privilege for any reason other than a mental or physical disability.

2. If the department extends a restriction period under subd. 1., the department shall immediately provide notice of the extension by 1st class mail to the person's last–known residence address.

(c) A period of restriction under this subsection does not run while a person's operating privilege is suspended or revoked.

(d) The restrictions under this subsection apply until the period of restriction expires or until the licensee reaches 18 years of age, whichever occurs first.

(e) Nothing in this subsection may be construed to create a separate cause of action against the parent or guardian of a probationary licensee under this subsection or against the owner of any vehicle operated by a probationary licensee under this section.

SECTION 2734rs. 343.085 (3) of the statutes is amended to read:

343.085 **(3)** The secretary may suspend a person's operating privilege under this section when such person has been assigned sufficient demerit points after conviction for traffic violations to require suspension under the rule adopted under sub. (5) and either holds a license issued under this section or by age comes under this section. The secretary may revoke such a person's operating privilege under this section if such person has a previous suspension under this section. This subsection applies only to a person holding a probationary license issued before the effective date of this subsection .... [revisor inserts date]. This subsection does not apply on or after the first day of the 37th month beginning after the effective date of this subsection .... [revisor inserts date].

SECTION 2734rv. 343.085 (5) of the statutes is amended to read:

343.085 **(5)** For the purpose of determining when to suspend or to continue a person on probationary status, the secretary may determine and adopt by rule a method of weighing traffic convictions by their seriousness and may change such weighted scale from time to time as experience or the accident frequency in the state makes necessary or desirable. Such scale may be weighted differently for this licensee than the scale used to determine revocations under s. 343.32. This subsection applies only to a person holding a probationary license issued before the effective date of this subsection .... [revisor inserts date]. This subsection does not apply on or after the first day of the 37th month beginning after the effective date of this subsection .... [revisor inserts date].

SECTION 2734tu. 343.14 (2) (b) of the statutes is amended to read:

343.14 **(2)** (b) The applicant's date of birth, ~~social security number,~~ color of eyes, color of hair, sex, height, weight and race;

SECTION 2734tv. 343.14 (2) (bm) and (br) of the statutes are created to read:

343.14 **(2)** (bm) Except as provided in par. (br), the applicant's social security number.

(br) If the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license that is issued or renewed under s. 343.17 in reliance on a statement submitted under this paragraph is invalid if the statement is false.

SECTION 2734tw. 343.14 (2j) (a) of the statutes is amended to read:

343.14 **(2j)** (a) Subject to any exceptions provided for in a memorandum of understanding entered into under s. 49.857 (2), the department shall deny an application for the issuance or renewal of a license if the applicant has not included his or her social security number in the application, or, if the applicant does not have a social security number, has not included a statement made or subscribed under oath or affirmation that the applicant does not have a social security number in the application.

SECTION 2734tx. 343.14 (2j) (b) of the statutes is amended to read:

343.14 **(2j)** (b) Except as otherwise required to administer and enforce this chapter, the department of transportation may not disclose a social security number obtained from an applicant for a license under sub. (2) ~~(b)~~ (bm) to any person except to the department of workforce development for the sole purpose of administering s. 49.22.

SECTION 2744g. 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 2744m. 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 2746g. 343.21 (1) (i) of the statutes is amended to read:

343.21 **(1)** (i) Except as provided in par. (im) or (ir), for an instruction permit, $20.

SECTION 2746m. 343.21 (1) (ir) of the statutes is created to read:

343.21 **(1)** (ir) For an instruction permit authorizing the operation of "Class D" vehicles, $25.

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 2747m. 343.305 (6) (e) 2. a. of the statutes is amended to read:

343.305 **(6)** (e) 2. a. ~~In~~ Except as provided in subd. 2. am., in the case of an individual, the individual's social security number.

SECTION 2747n. 343.305 (6) (e) 2. am. of the statutes is created to read:

343.305 **(6)** (e) 2. am. In the case of an individual who does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A permit or approval that is issued or renewed under this section in reliance on a statement submitted under this subd. 2. am. is invalid if the statement is false.

SECTION 2747no. 343.305 (6) (e) 3. a. of the statutes is amended to read:

343.305 **(6)** (e) 3. a. The licensor shall deny an application for the issuance or, if applicable, renewal of a permit or laboratory approval if the information required under subd. 2. a., am. or b. is not included in the application.

SECTION 2749gg. 343.32 (2) (bc) of the statutes is created to read:

343.32 **(2)** (bc) 1. Except as provided in subd. 2., the scale adopted by the secretary shall assess, for each conviction, twice the number of demerit points that are assessed for the same offense committed by the holder of a regular license, if the convicted person has been previously convicted of an offense for which demerit points are assessed and the person is one of the following:

a. A person who holds a probationary license.

b. An unlicensed person who would hold a probationary license if licensed.

c. A person who holds an instruction permit under s. 343.07.

2. The secretary may not increase under subd. 1. the number of demerit points that are assessed for a violation of ch. 347.

SECTION 2749gm. 343.32 (2) (c) of the statutes is renumbered 343.32 (2) (c) 1. and amended to read:

343.32 **(2)** (c) 1. ~~In~~ Except as provided in subd. 2., in order for the secretary to suspend or revoke an operating privilege under this subsection, the operator must have accumulated 12 demerit points in any 12–month period.

SECTION 2749gr. 343.32 (2) (c) 2. of the statutes is created to read:

343.32 **(2)** (c) 2. The secretary shall suspend, for a period of 6 months, the operating privilege of any person who holds a probationary license issued on or after the effective date of this subdivision .... [revisor inserts date], and who has accumulated 12 demerit points in any 12–month period.

SECTION 2747s. 343.43 (1) (f) of the statutes is amended to read:

343.43 **(1)** (f) Reproduce by any means whatever a copy of a license, unless the reproduction is done pursuant to rules promulgated by the department and for a valid business or occupational purpose; or

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 2751e. 343.50 (4) of the statutes is amended to read:

343.50 **(4)** APPLICATION. The application for an identification card shall include ~~the~~ any information required under s. 343.14 (2) (a) ~~and~~, (b), (bm) and (br) and (2m), such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card and, for applicants who are aged 65 years or older, material, as provided by the department, explaining the voluntary program that is specified in s. 71.55 (10) (b). The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations are punishable as provided in s. 343.14 (5).

SECTION 2751h. 343.61 (2) (a) 1. of the statutes is amended to read:

343.61 **(2)** (a) 1. ~~In~~ Except as provided in subd. 1m., in the case of an individual, the individual's social security number.

SECTION 2751i. 343.61 (2) (a) 1m. of the statutes is created to read:

343.61 **(2)** (a) 1m. In the case of an individual who does not have a social security number, a statement made or subscribed under oath or affirmation that the individual does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license that is issued by the department in reliance on a statement submitted under this subdivision is invalid if the statement is false.

SECTION 2751k. 343.62 (2) (a) of the statutes is amended to read:

343.62 **(2)** (a) Application for an instructor's license shall be made in the form and manner prescribed by the department, shall contain such information as is required by the department and shall be accompanied by the required fee. ~~The~~ Except as provided in par. (am), the application shall include the applicant's social security number.

SECTION 2751kc. 343.62 (2) (am) of the statutes is created to read:

343.62 **(2)** (am) If the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license that is issued by the department in reliance on a statement submitted under this paragraph is invalid if the statement is false.

SECTION 2751p. 343.64 (2) of the statutes is amended to read:

343.64 **(2)** The secretary shall deny the application of any person for a driver school license if the applicant fails to provide the information required under s. 343.61 (2) (a) 1. or 2., or if the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 2751r. 343.65 (2) of the statutes is amended to read:

343.65 **(2)** The secretary shall deny an application for the issuance or renewal of an instructor's license if the applicant has not included his or her social security number in the application, unless the applicant is an individual who does not have a social security number and submits a statement made or subscribed under oath or affirmation as required under s. 343.62 (2) (a).

SECTION 2751m. 345.05 (1) (c) of the statutes is amended to read:

345.05 **(1)** (c) "Municipality" means any county, city, village, town, school district ~~(~~as enumerated in s. 67.01 (5), sewer district, drainage district, commission formed by a contract under s. 66.30 (2) and, without restriction because of failure of enumeration, any other political subdivision of the state.

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. The operating privilege shall 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. This paragraph does not apply if the judgment was entered solely for violation of an ordinance unrelated to the violator's operation of a motor vehicle.

SECTION 2759. 345.47 (1) (c) of the statutes is amended to read:

345.47 **(1)** (c) If a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of the suspended license and shall forward it to the department together with the notice of suspension, which shall clearly state that the suspension was for failure to pay a forfeiture, a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories and drug law enforcement assessment, if required by s. 165.755, imposed by the court. The notice of suspension and the suspended license, if it is available, shall be forwarded to the department within 48 hours after the order of suspension. If the forfeiture, penalty assessment, jail assessment, railroad crossing improvement assessment and crime laboratories and drug law enforcement assessment are paid during a period of suspension, the court or judge shall immediately notify the department. Upon receipt of the notice and payment of the reinstatement fee under s. 343.21 (1) (j), the department shall return the surrendered license.

SECTION 2760. 345.49 (1) of the statutes is amended to read:

345.49 **(1)** Any person imprisoned under s. 345.47 for nonpayment of a forfeiture, a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), or a crime laboratories and drug law enforcement assessment, if required by s. 165.755, may, on request, be allowed to work under s. 303.08. If the person does work, earnings shall be applied on the unpaid forfeiture, penalty assessment, jail assessment, railroad crossing improvement assessment or crime laboratories and drug law enforcement assessment after payment of personal board and expenses and support of personal dependents to the extent directed by the court.

SECTION 2761. 345.61 (2) (c) of the statutes is amended to read:

345.61 **(2)** (c) "Guaranteed arrest bond certificate" as used in this section means any printed card or other certificate issued by an automobile club, association or insurance company to any of its members or insureds, which card or certificate is signed by the member or insureds and contains a printed statement that the automobile club, association or insurance company and a surety company, or an insurance company authorized to transact both automobile liability insurance and surety business, guarantee the appearance of the persons whose signature appears on the card or certificate and that they will in the event of failure of the person to appear in court at the time of trial, pay any fine or forfeiture imposed on the person, including the penalty assessment required by s. ~~165.87~~ 757.05, the jail assessment required by s. 302.46 (1), the railroad crossing improvement assessment required by s. 346.177, 346.495 or 346.65 (4r) and the crime laboratories and drug law enforcement assessment required by s.

165.755, in an amount not exceeding $200, or $1,000 as provided in sub. (1) (b).

Vetoed In Part

SECTION 2761r. 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 or more 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 2776. 348.25 (8) (a) 1. of the statutes is amended to read:

348.25 **(8)** (a) 1. For a vehicle or combination of vehicles which exceeds length limitations, $15, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $17.

SECTION 2777. 348.25 (8) (a) 2. of the statutes is amended to read:

348.25 **(8)** (a) 2. For a vehicle or combination of vehicles which exceeds either width limitations or height limitations, $20, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $22.

SECTION 2778. 348.25 (8) (a) 2m. of the statutes is amended to read:

348.25 **(8)** (a) 2m. For a vehicle or combination of vehicles which exceeds both width and height limitations, $25, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $28.

SECTION 2779. 348.25 (8) (a) 3. of the statutes is amended to read:

348.25 **(8)** (a) 3. For a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of the fee specified in par. (b) 3. for an annual permit for the comparable gross weight, rounded to the nearest whole dollar.

SECTION 2780. 348.25 (8) (b) 1. of the statutes is amended to read:

348.25 **(8)** (b) 1. For a vehicle or combination of vehicles which exceeds length limitations, $60, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $66.

SECTION 2781. 348.25 (8) (b) 2. of the statutes is amended to read:

348.25 **(8)** (b) 2. For a vehicle or combination of vehicles which exceeds width limitations or height limitations or both, $90, except that if the application for a permit for a vehicle described in this subdivision is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $99.

SECTION 2782. 348.25 (8) (b) 3. a. of the statutes is amended to read:

348.25 **(8)** (b) 3. a. If the gross weight is 90,000 pounds or less, $200, except that if the application for a permit for a vehicle described in this subd. 3. a. is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $220.

SECTION 2783. 348.25 (8) (b) 3. b. of the statutes is amended to read:

348.25 **(8)** (b) 3. b. If the gross weight is more than 90,000 pounds but not more than 100,000 pounds, $350, except that if the application for a permit for a vehicle described in this subd. 3. b. is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $385.

SECTION 2784. 348.25 (8) (b) 3. c. of the statutes is amended to read:

348.25 **(8)** (b) 3. c. If the gross weight is greater than 100,000 pounds, $350 plus $100 for each 10,000–pound increment or fraction thereof by which the gross weight exceeds 100,000 pounds, except that if the application for a permit for a vehicle described in this subd. 3. c. is submitted to the department after December 31, 1999, and before July 1, 2003, the fee is $385 plus $110 for each 10,000–pound increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

SECTION 2785. 348.25 (8) (bm) of the statutes is renumbered 348.25 (8) (bm) 1. and amended to read:

348.25 **(8)** (bm) 1. Unless a different fee is specifically provided, the fee for a consecutive month permit is one–twelfth of the fee under par. (b) for an annual permit times the number of months for which the permit is desired, plus $15 for each permit issued. This subdivision does not apply to applications for permits submitted after December 31, 1999, and before July 1, 2003.

SECTION 2786. 348.25 (8) (bm) 2. of the statutes is created to read:

348.25 **(8)** (bm) 2. Unless a different fee is specifically provided, the fee for a consecutive month permit is one–twelfth of the fee under par. (b) for an annual permit times the number of months for which the permit is desired, plus $16.50 for each permit issued, rounded to the nearest whole dollar. This subdivision does not apply to applications submitted before January 1, 2000, or submitted after June 30, 2003.

SECTION 2786m. 348.25 (11) of the statutes is created to read:

348.25 **(11)** The department shall develop and implement an automated system for designating the route to be traveled by a vehicle for which a permit is issued under s. 348.26 or 348.27.

SECTION 2793. 350.01 (3r) of the statutes is created to read:

350.01 **(3r)** "Expedited service" means a process under which a person is able to renew a snowmobile certificate in person and with only one appearance at the site where certificates are issued.

SECTION 2795. 350.02 (3m) of the statutes is created to read:

350.02 **(3m)** A law enforcement officer may operate a snowmobile on a highway in performance of his or her official duties if the snowmobile is equipped with a flashing, oscillating or rotating blue light.

SECTION 2796. 350.05 (1) (title) of the statutes is amended to read:

350.05 **(1)** (title) ~~AGE RESTRICTION~~ PERSONS UNDER 12.

SECTION 2797. 350.05 (2) of the statutes is amended to read:

350.05 **(2)** ~~SNOWMOBILE~~ PERSONS AGED 12 TO 16; SNOWMOBILE SAFETY ~~PERMIT OR OPERATOR'S LICENSE REQUIRED~~ CERTIFICATES AND PROGRAM. No person ~~over the age of~~ who is at least 12 years of age but under ~~the age of~~ 16 years of age may operate a snowmobile unless he or she holds a valid snowmobile safety certificate or is accompanied by a person ~~over~~ who is at least 18 years of age or by a person ~~over~~ who is at least 14 years of age ~~having a~~ and who holds a valid snowmobile safety certificate ~~issued by the department~~. Any person who is ~~over the age of 12 and~~ at least 12 years of age but under ~~the age of~~ 16 years of age and who ~~holds~~ is required to hold a snowmobile safety certificate ~~shall carry it~~ while operating a snowmobile or while accompanying the operator on a snowmobile shall carry the certificate and shall display it to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

SECTION 2798. 350.05 (2) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

350.05 **(2)** PERSONS AGED 12 AND OLDER; SNOWMOBILE SAFETY CERTIFICATES AND PROGRAM. (a) No person who is at least 12 years of age and who is born on or after January 1, 1985, may operate a snowmobile unless he or she holds a valid snowmobile safety certificate.

(b) Any person who is required to hold a snowmobile safety certificate while operating a snowmobile shall carry the certificate on the snowmobile and shall display the certificate to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate a snowmobile in an area designated by the instructor.

SECTION 2799. 350.05 (3) of the statutes is amended to read:

350.05 **(3)** EXCEPTIONS. This section does not apply to the operation of snowmobiles ~~by an operator under the age of 16 years~~ upon lands owned or leased by the operator's parent or guardian. As used in this section, "leased lands" does not include lands leased by an organization of which said operator or the operator's parent or guardian is a member.

SECTION 2800. 350.05 (4) of the statutes is amended to read:

350.05 **(4)** DEFINITION. For purposes of this section, ~~"accompanied"~~ "accompany" means ~~being~~ to be on the same snowmobile as the operator.

SECTION 2801. 350.055 of the statutes is amended to read:

350.055 Safety certification program established. The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. ~~Persons~~ Each person satisfactorily completing this program shall receive ~~certification~~ a snowmobile safety certificate from the department. The department may charge each person who enrolls in the course an instruction fee of $5. The department shall authorize instructors conducting such courses meeting standards established by it to retain $1 of the fee to defray expenses incurred locally to conduct the program. The remaining $4 of the fee shall be retained by the department to defray a part of its expenses incurred to conduct the safety and accident reporting program. A person ~~over the age of 12 years~~ who is at least 12 years of age but under the ~~age of~~ 16 years of age who ~~holds~~ is required to hold a valid snowmobile safety certificate may operate a snowmobile in this state if the person holds a valid snowmobile safety certificate issued by another state or province of the Dominion of Canada ~~need not obtain a certificate from the department~~ and if the course content of the program in such other state or province substantially meets that established by the department under this section.

SECTION 2802. 350.055 of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 2801, is amended to read:

350.055 Safety certification program established. The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within

the scope of their duties under this section. Each person satisfactorily completing this program shall receive a snowmobile safety certificate from the department. The department ~~may charge each person who enrolls in the course~~ shall establish by rule an instruction fee ~~of $5~~ for this program. An instructor conducting a program of instruction under this section shall collect the instruction fee from each person who receives instruction. The department ~~shall authorize instructors conducting such courses meeting standards established by it to retain $1~~ may determine the portion of ~~the~~ this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred ~~locally to conduct~~ by the instructor in conducting the program. The ~~remaining $4 of the fee shall be retained by the department to defray a part of its expenses incurred to conduct the safety and accident reporting program~~ instructor shall remit the remainder of the fee or, if nothing is retained, the entire fee to the department. A person who is at least 12 years of age but under the 16 years of age who is required to hold a valid snowmobile safety certificate may operate a snowmobile in this state if the person holds a valid snowmobile safety certificate issued by another state or province of the Dominion of Canada and if the course content of the program in such other state or province substantially meets that established by the department under this section.

SECTION 2803. 350.055 of the statutes, as affected by 1999 Wisconsin Act .... (this act), section 2802, is repealed and recreated to read:

350.055 Safety certification program established. The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Each person satisfactorily completing this program shall receive a snowmobile safety certificate from the department. The department shall establish by rule an instruction fee for this program. An instructor conducting a program of instruction under this section shall collect the instruction fee from each person who receives instruction. The department may determine the portion of this fee, which may not exceed 50%, that the instructor may retain to defray expenses incurred by the instructor in conducting the program. The instructor shall remit the remainder of the fee or, if nothing is retained, the entire fee to the department. A person who is required to hold a valid snowmobile safety certificate may operate a snowmobile in this state if the person holds a valid snowmobile safety certificate issued by another state or province of the Dominion of Canada and if the course content of the program in such other state or province substantially meets that established by the department under this section.

SECTION 2805. 350.12 (3h) of the statutes is created to read:

350.12 **(3h)** REGISTRATION; RENEWALS; AGENTS. (a) *Issuance; appointment of agents.* For the issuance of snowmobile certificates, the department may do any of the following:

1. Directly issue the certificates.

2. Appoint, as an agent of the department, the clerk of one or more counties to issue the certificates.

3. Appoint persons who are not employes of the department to issue the certificates as agents of the department.

(b) *Duplicates.* For purposes of this subsection, the issuance of a duplicate of a snowmobile certificate shall be considered the same as the issuance of an original certificate.

(c) *Agent activities.* 1. The clerk of any county appointed under par. (a) 2. or (e) may accept the appointment.

2. The department may promulgate rules regulating the activities of persons appointed under pars. (a) and (e).

(d) *Issuing fees.* An agent appointed under par. (a) 2. or 3. shall collect an issuing fee of $3 for each snowmobile certificate that the agent issues. The agent shall remit to the department $2 of each issuing fee collected.

(e) *Renewals; agents.* For the renewal of snowmobile certificates for public use or the renewal of commercial snowmobile certificates, the department may renew the certificates directly or may appoint agents in the manner specified in par. (a) 2. or 3. The department may establish an expedited service to be provided by the department and these agents to renew these types of snowmobile certificates.

(f) *Renewals; fees.* In addition to a renewal fee under sub. (3), the department may authorize that a supplemental renewal fee of $3 be collected for the renewal of snowmobile certificates that are renewed in any of the following manners:

1. By agents appointed under par. (e).

2. By the department using the expedited service.

(g) *Remittal of fees.* An agent appointed under par. (e) shall remit to the department $2 of each $3 fee collected under par. (f). Any fees remitted to or collected by the department under par. (d) or (f) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 2807. 350.12 (3j) (b) of the statutes is amended to read:

350.12 **(3j)** (b) The fee for a trail use sticker issued for a snowmobile that is exempt from registration under sub. (2) (b) or (bn) is $12.25. A trail use sticker issued for such a snowmobile may be issued only by the department and persons appointed by the department and ~~is valid for one~~ expires on June 30 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) (cb), (cr) and (cs) shall be used for development and maintenance, the cooperative snowmobile sign program, major reconstruction or rehabilitation to improve bridges on existing approved trails, trail rehabilitation, signing of snowmobile routes, and state snowmobile trails and areas and distributed as follows:

SECTION 2814. 350.12 (5) (d) of the statutes is amended to read:

350.12 **(5)** (d) At the end of the registration period the department shall send the owner of each snowmobile a ~~2–part~~ renewal application. The owner shall ~~complete and~~ sign ~~one portion of~~ the renewal application and return ~~that portion~~ the application and the proper fee to the department~~. The owner shall complete and sign the other portion of the renewal application. The owner shall destroy this portion of the renewal application upon receipt of the registration certificate and decals~~ or to an agent appointed under sub. (3h) (e).

SECTION 2816. 351.02 (1) (a) 10. of the statutes, as affected by 1997 Wisconsin Act 84, is amended to read:

351.02 **(1)** (a) 10. Any offense under the law of another jurisdiction prohibiting conduct described in sections 6–207, 6–302, 10–102, 10–103, 10–104, 11–901,11–902, 11–907 or 11–908 of the uniform vehicle code and model traffic ordinance (1987), or prohibiting homicide or manslaughter resulting from the operation of a motor vehicle, use of a motor vehicle in the commission of a felony, reckless or careless driving or driving a motor vehicle with wilful or wanton disregard for the safety of persons or property, driving or operating a motor vehicle while under the influence of alcohol, a controlled substance, a controlled substance analog or any other drug or a combination thereof as prohibited, refusal to submit to chemical testing, ~~operating a motor vehicle while the operating privilege or operator's license is revoked or suspended,~~ perjury or the making false statements or affidavits to a governmental agency in connection with the ownership or operation of a motor vehicle, failing to stop and identify oneself as the driver or operator in the event of a motor vehicle accident with a person or an attended motor vehicle or fleeing from or attempting to elude a police, law enforcement or other peace officer, as those or substantially similar terms are used in that jurisdiction's laws.

SECTION 2817. 351.025 (2) (a) of the statutes, as affected by 1997 Wisconsin Act 84, is renumbered 351.025 (2) and amended to read:

351.025 **(2)** The revocation is effective on the date the department mails the notice of revocation~~, except as provided in par. (b)~~.

SECTION 2818. 351.025 (2) (b) of the statutes is repealed.

SECTION 2819. 409.302 (1) (i) of the statutes is renumbered 409.302 (3) (e) and amended to read:

409.302 **(3)** (e) A ~~security interest created by a~~ master lease entered into by the state under s. 16.76 (4).

SECTION 2820. 409.302 (3) (intro.) of the statutes is amended to read:

409.302 **(3)** (intro.) The filing provisions of this chapter are not necessary or effective to perfect a security interest in property subject to any of the following:

SECTION 2821. 409.302 (3) (a) to (c) of the statutes are amended to read:

409.302 **(3)** (a) A statute or treaty of the United States which provides for a national or international registration or a national or international certificate of title or which specifies a place of filing different from that specified in this chapter for filing of the security interest~~; or~~.

(b) The following vehicle title statutes: ss. 342.19, 342.20, 342.284 and 342.285; but during any period in which collateral is inventory held for sale by a person who is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408 apply to a security interest in that collateral created by that person as debtor~~; or~~.

(bm) The following boat title statutes: ss. 30.57, 30.572 and 30.573; but during any period in which collateral is inventory held for sale by a person who is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408 apply to a security interest in that collateral created by that person as debtor~~; or~~.

(c) A certificate of title statute of another jurisdiction under the law of which indication of a security interest on the certificate is required as a condition of perfection (s. 409.103 (2))~~; or~~.

SECTION 2821m. 409.302 (3) (f) of the statutes is created to read:

409.302 **(3)** (f) The mobile home security interest provisions under subch. V of ch. 101.

SECTION 2822. 409.313 (4) (e) of the statutes is created to read:

409.313 **(4)** (e) The security interest is created by a master lease entered into by the state under s. 16.76 (4), the security interest is perfected under s. 16.76 (4) (e) before the interest of the encumbrancer or owner is of record, the security interest has priority over any conflicting interest of a predecessor in title of the encumbrancer or owner and the debtor has an interest of record in the real estate.

SECTION 2822m. 411.104 (1) (a) of the statutes is amended to read:

411.104 **(1)** (a) Certificate of title statute of this state, including ss. 30.531, 101.9203 and 342.05.

SECTION 2822o. 422.201 (12m) of the statutes is amended to read:

422.201 **(12m)** This section does not apply to consumer credit sales of or consumer loans secured by a first lien on or equivalent security interest in mobile homes as defined in s. ~~218.10 (2)~~ 101.91 (2e), if the sales or loans are made on or after November 1, 1981.

SECTION 2822p. 422.209 (1m) (a) 2. of the statutes is amended to read:

422.209 **(1m)** (a) 2. The loan administration fee is for a consumer loan that is secured primarily by an interest in real property or in a mobile home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

SECTION 2822t. 422.413 (2g) (intro.) of the statutes is amended to read:

422.413 **(2g)** (intro.) In any consumer credit transaction in which the collateral is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71), a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft as defined in s. 114.002 (3), or a mobile home as defined in s. ~~218.10 (2)~~ 101.91 (2e), a writing evidencing the transaction may provide for the creditor's recovery of all of the following expenses, if the expenses are reasonable and bona fide:

SECTION 2822w. 440.03 (11m) (a) (intro.) of the statutes is amended to read:

440.03 **(11m)** (a) (intro.) Each application form for a credential issued or renewed under chs. 440 to 480 shall provide a space for the department to require each of the following, other than an individual who does not have a social security number and who submits a statement made or subscribed under oath or affirmation as required under par. (am), to provide his or her social security number:

SECTION 2822x. 440.03 (11m) (am) of the statutes is created to read:

440.03 **(11m)** (am) If an applicant specified in par. (a) 1. or 2. is an individual who does not have a social security number, the applicant shall submit a statement made or subscribed under oath that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A credential or license issued in reliance upon a false statement submitted under this paragraph is invalid.

SECTION 2822x. 440.03 (11m) (b) of the statutes is amended to read:

440.03 **(11m)** (b) The department shall deny an application for an initial credential or deny an application for credential renewal or for reinstatement of an inactive license under s. 452.12 (6) (e) if any information required under par. (a) is not included in the application form or, in the case of an applicant who is an individual and who does not have a social security number, if the statement required under par. (am) is not included with the application form.

SECTION 2823. 440.03 (15) of the statutes is created to read:

440.03 **(15)** The department shall promulgate rules that establish the fees specified in ss. 440.05 (10) and 440.08 (2) (d).

SECTION 2824. 440.05 (1) (a) of the statutes is amended to read:

440.05 **(1)** (a) Initial credential: ~~$41~~ $44. Each applicant for an initial credential shall pay the initial credential fee to the department when the application materials for the initial credential are submitted to the department.

SECTION 2825. 440.05 (10) of the statutes is created to read:

440.05 **(10)** Expedited service: If an applicant for a credential requests that the department process an application on an expedited basis, the applicant shall pay a service fee that is equal to the department's best estimate of the cost of processing the application on an expedited basis, including the cost of providing counter or other special handling services.

SECTION 2826. 440.055 (1) of the statutes is repealed.

SECTION 2827. 440.055 (2) of the statutes is amended to read:

440.055 **(2)** If the department permits the payment of a fee with use of a credit card ~~under sub. (1)~~, the department shall charge a credit card service charge for each transaction. The credit card service charge shall be in addition to the fee that is being paid with the credit card and shall be sufficient to pay the costs to the department for providing this service to persons who request it, including the cost of any services for which the department contracts under sub. (3).

SECTION 2828. 440.08 (2) (a) 1. of the statutes is amended to read:

440.08 **(2)** (a) 1. Accountant, certified public: January 1 of each even–numbered year; ~~$47~~ $52.

SECTION 2829. 440.08 (2) (a) 2. of the statutes is amended to read:

440.08 **(2)** (a) 2. Accountant, public: January 1 of each even–numbered year; ~~$41~~ $44.

SECTION 2830. 440.08 (2) (a) 3. of the statutes is amended to read:

440.08 **(2)** (a) 3. Accounting corporation or partnership: January 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2831. 440.08 (2) (a) 4. of the statutes is amended to read:

440.08 **(2)** (a) 4. Acupuncturist: July 1 of each odd–numbered year; ~~$73~~ $78.

SECTION 2832. 440.08 (2) (a) 4m. of the statutes is amended to read:

440.08 **(2)** (a) 4m. Advanced practice nurse prescriber: October 1 of each even–numbered year; ~~$41~~ $69.

SECTION 2833. 440.08 (2) (a) 5. of the statutes is amended to read:

440.08 **(2)** (a) 5. Aesthetician: July 1 of each odd–numbered year; ~~$77~~ $58.

SECTION 2834. 440.08 (2) (a) 6. of the statutes is amended to read:

440.08 **(2)** (a) 6. Aesthetics establishment: July 1 of each odd–numbered year; ~~$41~~ $47.

SECTION 2835. 440.08 (2) (a) 7. of the statutes is amended to read:

440.08 **(2)** (a) 7. Aesthetics instructor: July 1 of each odd–numbered year; ~~$142~~ $47.

SECTION 2836. 440.08 (2) (a) 9. of the statutes is amended to read:

440.08 **(2)** (a) 9. Aesthetics specialty school: July 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2837. 440.08 (2) (a) 11. of the statutes is amended to read:

440.08 **(2)** (a) 11. Appraiser, real estate, certified general: January 1 of each even–numbered year; ~~$95~~ $108.

SECTION 2838. 440.08 (2) (a) 11m. of the statutes is amended to read:

440.08 **(2)** (a) 11m. Appraiser, real estate, certified residential: January 1 of each even–numbered year; ~~$101~~ $114.

SECTION 2839. 440.08 (2) (a) 12. of the statutes is amended to read:

440.08 **(2)** (a) 12. Appraiser, real estate, licensed: January 1 of each even–numbered year; ~~$72~~ $134.

SECTION 2840. 440.08 (2) (a) 13. of the statutes is amended to read:

440.08 **(2)** (a) 13. Architect: August 1 of each even–numbered year; ~~$44~~ $49.

SECTION 2841. 440.08 (2) (a) 14. of the statutes is amended to read:

440.08 **(2)** (a) 14. Architectural or engineering firm, partnership or corporation: February 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2841mt. 440.08 (2) (a) 14f. of the statutes is created to read:

440.08 **(2)** (a) 14f. Athletic trainer: July 1 of each even–numbered year; $44.

SECTION 2842. 440.08 (2) (a) 14g. of the statutes is amended to read:

440.08 **(2)** (a) 14g. Auction company: January 1 of each odd–numbered year; ~~$41~~ $47.

SECTION 2843. 440.08 (2) (a) 14r. of the statutes is amended to read:

440.08 **(2)** (a) 14r. Auctioneer: January 1 of each odd–numbered year; ~~$100~~ $135.

SECTION 2844. 440.08 (2) (a) 15. of the statutes is amended to read:

440.08 **(2)** (a) 15. Audiologist: February 1 of each odd–numbered year; ~~$44~~ $100.

SECTION 2845. 440.08 (2) (a) 16. of the statutes is amended to read:

440.08 **(2)** (a) 16. Barbering or cosmetology establishment: July 1 of each odd–numbered year; ~~$41~~ $47.

SECTION 2846. 440.08 (2) (a) 17. of the statutes is amended to read:

440.08 **(2)** (a) 17. Barbering or cosmetology instructor: July 1 of each odd–numbered year; ~~$139~~ $91.

SECTION 2847. 440.08 (2) (a) 18. of the statutes is amended to read:

440.08 **(2)** (a) 18. Barbering or cosmetology manager: July 1 of each odd–numbered year; ~~$61~~ $68.

SECTION 2848. 440.08 (2) (a) 20. of the statutes is amended to read:

440.08 **(2)** (a) 20. Barber or cosmetologist: July 1 of each odd–numbered year; ~~$52~~ $55.

SECTION 2849. 440.08 (2) (a) 24. of the statutes is amended to read:

440.08 **(2)** (a) 24. Chiropractor: January 1 of each odd–numbered year; ~~$162~~ $139.

SECTION 2850. 440.08 (2) (a) 25. of the statutes is amended to read:

440.08 **(2)** (a) 25. Dental hygienist: October 1 of each odd–numbered year; ~~$41~~ $48.

SECTION 2851. 440.08 (2) (a) 26. of the statutes is amended to read:

440.08 **(2)** (a) 26. Dentist: October 1 of each odd–numbered year; ~~$98~~ $105.

SECTION 2852. 440.08 (2) (a) 27. of the statutes is amended to read:

440.08 **(2)** (a) 27. Designer of engineering systems: February 1 of each even–numbered year; ~~$47~~ $52.

SECTION 2853. 440.08 (2) (a) 27m. of the statutes is amended to read:

440.08 **(2)** (a) 27m. Dietitian: November 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2854. 440.08 (2) (a) 28. of the statutes is amended to read:

440.08 **(2)** (a) 28. Drug distributor: June 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2855. 440.08 (2) (a) 29. of the statutes is amended to read:

440.08 **(2)** (a) 29. Drug manufacturer: June 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2856. 440.08 (2) (a) 30. of the statutes is amended to read:

440.08 **(2)** (a) 30. Electrologist: July 1 of each odd–numbered year; ~~$77~~ $65.

SECTION 2857. 440.08 (2) (a) 31. of the statutes is amended to read:

440.08 **(2)** (a) 31. Electrology establishment: July 1 of each odd–numbered year; ~~$41~~ $47.

SECTION 2858. 440.08 (2) (a) 34. of the statutes is amended to read:

440.08 **(2)** (a) 34. Electrology specialty school: July 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2859. 440.08 (2) (a) 35. of the statutes is amended to read:

440.08 **(2)** (a) 35. Engineer, professional: August 1 of each even–numbered year; ~~$43~~ $49.

SECTION 2860. 440.08 (2) (a) 35m. of the statutes is amended to read:

440.08 **(2)** (a) 35m. Fund–raising counsel: September 1 of each even–numbered year; ~~$41~~ $44.

SECTION 2861. 440.08 (2) (a) 36. of the statutes is amended to read:

440.08 **(2)** (a) 36. Funeral director: January 1 of each even–numbered year; ~~$144~~ $140.

SECTION 2862. 440.08 (2) (a) 37. of the statutes is amended to read:

440.08 **(2)** (a) 37. Funeral establishment: June 1 of each odd–numbered year; ~~$41~~ $47.

SECTION 2863. 440.08 (2) (a) 38. of the statutes is amended to read:

440.08 **(2)** (a) 38. Hearing instrument specialist: February 1 of each ~~even–numbered~~ odd–numbered year; ~~$200~~ $100.

SECTION 2864. 440.08 (2) (a) 38g. of the statutes is amended to read:

440.08 **(2)** (a) 38g. Home inspector: January 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2865. 440.08 (2) (a) 38m. of the statutes is amended to read:

440.08 **(2)** (a) 38m. Landscape architect: August 1 of each even–numbered year; ~~$41~~ $51.

SECTION 2866. 440.08 (2) (a) 39. of the statutes is amended to read:

440.08 **(2)** (a) 39. Land surveyor: February 1 of each even–numbered year; ~~$69~~ $75.

SECTION 2867. 440.08 (2) (a) 42. of the statutes is amended to read:

440.08 **(2)** (a) 42. Manicuring establishment: July 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2868. 440.08 (2) (a) 43. of the statutes is amended to read:

440.08 **(2)** (a) 43. Manicuring instructor: July 1 of each odd–numbered year; ~~$112~~ $44.

SECTION 2869. 440.08 (2) (a) 45. of the statutes is amended to read:

440.08 **(2)** (a) 45. Manicuring specialty school: July 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2870. 440.08 (2) (a) 46. of the statutes is amended to read:

440.08 **(2)** (a) 46. Manicurist: July 1 of each odd–numbered year; ~~$78~~ $131.

SECTION 2871. 440.08 (2) (a) 46m. of the statutes is amended to read:

440.08 **(2)** (a) 46m. Marriage and family therapist: July 1 of each odd–numbered year; ~~$66~~ $82.

SECTION 2872. 440.08 (2) (a) 48. of the statutes is amended to read:

440.08 **(2)** (a) 48. Nurse, licensed practical: May 1 of each odd–numbered year; ~~$48~~ $54.

SECTION 2873. 440.08 (2) (a) 49. of the statutes is amended to read:

440.08 **(2)** (a) 49. Nurse, registered: March 1 of each even–numbered year; ~~$46~~ $52.

SECTION 2874. 440.08 (2) (a) 50. of the statutes is amended to read:

440.08 **(2)** (a) 50. Nurse–midwife: March 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2875. 440.08 (2) (a) 51. of the statutes is amended to read:

440.08 **(2)** (a) 51. Nursing home administrator: July 1 of each even–numbered year; ~~$102~~ $111.

SECTION 2876. 440.08 (2) (a) 52. of the statutes is amended to read:

440.08 **(2)** (a) 52. Occupational therapist: November 1 of each odd–numbered year; ~~$42~~ $49.

SECTION 2877. 440.08 (2) (a) 53. of the statutes is amended to read:

440.08 **(2)** (a) 53. Occupational therapy assistant: November 1 of each odd–numbered year; ~~$42~~ $48.

SECTION 2878. 440.08 (2) (a) 54. of the statutes is amended to read:

440.08 **(2)** (a) 54. Optometrist: January 1 of each even–numbered year; ~~$58~~ $61.

SECTION 2879. 440.08 (2) (a) 55. of the statutes is amended to read:

440.08 **(2)** (a) 55. Pharmacist: June 1 of each even–numbered year; ~~$75~~ $73.

SECTION 2880. 440.08 (2) (a) 56. of the statutes is amended to read:

440.08 **(2)** (a) 56. Pharmacy: June 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2881. 440.08 (2) (a) 57. of the statutes is amended to read:

440.08 **(2)** (a) 57. Physical therapist: November 1 of each odd–numbered year; ~~$46~~ $51.

SECTION 2882. 440.08 (2) (a) 58. of the statutes is amended to read:

440.08 **(2)** (a) 58. Physician: November 1 of each odd–numbered year; ~~$110~~ $122.

SECTION 2883. 440.08 (2) (a) 59. of the statutes is amended to read:

440.08 **(2)** (a) 59. Physician assistant: November 1 of each odd–numbered year; ~~$51~~ $59.

SECTION 2884. 440.08 (2) (a) 60. of the statutes is amended to read:

440.08 **(2)** (a) 60. Podiatrist: November 1 of each odd–numbered year; ~~$180~~ $140.

SECTION 2885. 440.08 (2) (a) 61. of the statutes is amended to read:

440.08 **(2)** (a) 61. Private detective: September 1 of each even–numbered year; ~~$178~~ $89.

SECTION 2886. 440.08 (2) (a) 62. of the statutes is amended to read:

440.08 **(2)** (a) 62. Private detective agency: September 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2887. 440.08 (2) (a) 63. of the statutes is amended to read:

440.08 **(2)** (a) 63. Private practice school psychologist: October 1 of each odd–numbered year; ~~$67~~ $69.

SECTION 2888. 440.08 (2) (a) 63g. of the statutes is amended to read:

440.08 **(2)** (a) 63g. Private security person: September 1 of each even–numbered year; ~~$41~~ $49.

SECTION 2889. 440.08 (2) (a) 63m. of the statutes is amended to read:

440.08 **(2)** (a) 63m. Professional counselor: July 1 of each odd–numbered year; ~~$55~~ $63.

SECTION 2890. 440.08 (2) (a) 63t. of the statutes is amended to read:

440.08 **(2)** (a) 63t. Professional fund–raiser: September 1 of each even–numbered year; ~~$61~~ $91.

SECTION 2891. 440.08 (2) (a) 63u. of the statutes is amended to read:

440.08 **(2)** (a) 63u. Professional geologist: August 1 of each even–numbered year; ~~$42~~ $48.

SECTION 2892. 440.08 (2) (a) 63v. of the statutes is amended to read:

440.08 **(2)** (a) 63v. Professional geology, hydrology or soil science firm, partnership or corporation: August 1 of each even–numbered year; ~~$42~~ $44.

SECTION 2893. 440.08 (2) (a) 63w. of the statutes is amended to read:

440.08 **(2)** (a) 63w. Professional hydrologist: August 1 of each even–numbered year; ~~$42~~ $44.

SECTION 2894. 440.08 (2) (a) 63x. of the statutes is amended to read:

440.08 **(2)** (a) 63x. Professional soil scientist: August 1 of each even–numbered year; ~~$42~~ $44.

SECTION 2895. 440.08 (2) (a) 64. of the statutes is amended to read:

440.08 **(2)** (a) 64. Psychologist: October 1 of each odd–numbered year; ~~$107~~ $105.

SECTION 2896. 440.08 (2) (a) 65. of the statutes is amended to read:

440.08 **(2)** (a) 65. Real estate broker: January 1 of each odd–numbered year; ~~$125~~ $109.

SECTION 2897. 440.08 (2) (a) 66. of the statutes is amended to read:

440.08 **(2)** (a) 66. Real estate business entity: January 1 of each odd–numbered year; ~~$71~~ $57.

SECTION 2898. 440.08 (2) (a) 67. of the statutes is amended to read:

440.08 **(2)** (a) 67. Real estate salesperson: January 1 of each odd–numbered year; ~~$73~~ $79.

SECTION 2899. 440.08 (2) (a) 67m. of the statutes is amended to read:

440.08 **(2)** (a) 67m. Registered interior designer: August 1 of each even–numbered year; ~~$41~~ $47.

SECTION 2900. 440.08 (2) (a) 67q. of the statutes, as created by 1997 Wisconsin Act 156, is amended to read:

440.08 **(2)** (a) 67q. Registered massage therapist or bodyworker: March 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2901. 440.08 (2) (a) 67v. of the statutes, as created by 1997 Wisconsin Act 261, is amended to read:

440.08 **(2)** (a) 67v. Registered music, art or dance therapist: October 1 of each odd–numbered year; ~~$41~~ $44.

SECTION 2902. 440.08 (2) (a) 68. of the statutes is amended to read:

440.08 **(2)** (a) 68. Respiratory care practitioner: November 1 of each odd–numbered year; ~~$42~~ $50.

SECTION 2903. 440.08 (2) (a) 68d. of the statutes is amended to read:

440.08 **(2)** (a) 68d. Social worker: July 1 of each odd–numbered year; ~~$44~~ $54.

SECTION 2904. 440.08 (2) (a) 68h. of the statutes is amended to read:

440.08 **(2)** (a) 68h. Social worker, advanced practice: July 1 of each odd–numbered year; ~~$46~~ $53.

SECTION 2905. 440.08 (2) (a) 68p. of the statutes is amended to read:

440.08 **(2)** (a) 68p. Social worker, independent: July 1 of each odd–numbered year; ~~$49~~ $55.

SECTION 2906. 440.08 (2) (a) 68t. of the statutes is amended to read:

440.08 **(2)** (a) 68t. Social worker, independent clinical: July 1 of each odd–numbered year; ~~$57~~ $69.

SECTION 2907. 440.08 (2) (a) 68v. of the statutes is amended to read:

440.08 **(2)** (a) 68v. Speech–language pathologist: February 1 of each odd–numbered year; ~~$44~~ $53.

SECTION 2908. 440.08 (2) (a) 69. of the statutes is amended to read:

440.08 **(2)** (a) 69. Time–share salesperson: January 1 of each odd–numbered year; ~~$61~~ $103.

SECTION 2909. 440.08 (2) (a) 70. of the statutes is amended to read:

440.08 **(2)** (a) 70. Veterinarian: January 1 of each even–numbered year; ~~$82~~ $95.

SECTION 2910. 440.08 (2) (a) 71. of the statutes is amended to read:

440.08 **(2)** (a) 71. Veterinary technician: January 1 of each even–numbered year; ~~$42~~ $48.

SECTION 2911. 440.08 (2) (d) of the statutes is created to read:

440.08 **(2)** (d) If an applicant for credential renewal requests that the department process an application on an expedited basis, the applicant shall pay a service fee that is equal to the department's best estimate of the cost of processing the application on an expedited basis, including the cost of providing counter or other special handling services.

SECTION 2912. 440.23 (1) of the statutes is amended to read:

440.23 **(1)** If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card and the check is not paid by the ~~bank~~ financial institution upon which the check is drawn or if the demand for payment under the debit or credit card transaction is not paid by the financial institution upon which demand is made, the department may cancel the credential on or after the 60th day after the department receives the notice from the ~~bank~~ financial institution, subject to sub. (2).

SECTION 2913. 440.23 (2) (intro.) of the statutes is amended to read:

440.23 **(2)** (intro.) At least 20 days before canceling a credential, the department shall mail a notice to the holder of the credential that informs the holder that the check or demand for payment under the debit or credit card transaction was not paid by the ~~bank~~ financial institution and that the holder's credential may be canceled on the date determined under sub. (1) unless the holder does all of the following before that date:

SECTION 2914. 440.23 (2) (a) of the statutes is amended to read:

440.23 **(2)** (a) Pays the fee for which the unpaid check or demand for payment under the credit or debit card transaction was issued.

SECTION 2915. 440.41 (5m) of the statutes is renumbered 440.01 (1) (am).

SECTION 2922. 440.92 (3) (c) 3. of the statutes is amended to read:

440.92 **(3)** (c) 3. The preneed seller files with the department a bond furnished by a surety company authorized to do business in this state or an irrevocable letter of credit from a financial institution~~, as defined in s. 157.19 (1),~~ and the amount of the bond or letter of credit is sufficient to secure the cost to the cemetery authority of constructing the mausoleum.

SECTION 2922g. 440.947 of the statutes is created to read:

440.947 Disclosures and representations for certain sales. (1) In this section:

(a) "Cash advance item" means personal property or a service that is obtained by a person from a 3rd party and that is paid for by the person on behalf of, and subject to reimbursement from, a buyer of a casket, outer burial container or cemetery merchandise from the person. "Cash advance item" includes cemetery or crematory services, pallbearers, public transportation, clergy honoraria, flowers, musicians or vocalists, nurses, obituary notices, gratuities and death certificates.

(b) "Direct cremation service" means the disposition of human remains by cremation without any formal viewing, visitation or ceremony in which the body of the deceased is present.

(c) "Outer burial container" has the meaning given in s. 157.061 (11g).

(d) "Person" does not include a person issued a funeral director's license under ch. 445 or an operator of a funeral establishment, as defined in s. 445.01 (7).

(2) No person may sell or offer for sale a casket, outer burial container or cemetery merchandise unless the person has provided to the buyer, prior to the sale, a price list in a clearly legible and conspicuous format that includes each of the following:

(a) The name, address and telephone number of the person's place of business.

(b) The effective date of the price list.

(c) The price and a description of each type of casket, outer burial container and cemetery merchandise that the person usually offers for sale without special ordering. A description required under this paragraph shall enable a buyer to identify and understand the specific casket, outer burial container or cemetery merchandise that is offered for sale.

(d) If the person usually offers an outer burial container for sale without special ordering, a statement that is identical to the following: "State law does not require that you buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements."

(e) The price and a description of any direct cremation or burial service offered by the person and, if the person offers direct cremation service, a statement that is identical to the following: "If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers that we provide are .... [insert a description of the containers offered for direct cremation]."

(f) The price and a description of any service offered by the person for the use any facilities, equipment or staff

related to a viewing, funeral ceremony, memorial service or graveside service.

(g) The amount and a description of any basic service fee that is charged in addition to any price described under pars. (c), (e) or (f).

(3) A person who sells a casket, outer burial container or cemetery merchandise shall, immediately after completing the sale, provide the buyer with a form in a clearly legible and conspicuous format that includes each of the following:

(a) The price and a description of the casket, outer burial container or cemetery merchandise.

(b) The price and a description of any service specified in sub. (2) (e) or (f) that is sold in addition to the casket, outer burial container or cemetery merchandise.

(c) The amount and a description of any basic service fee that is charged in addition to any price described under par. (a) or (b).

(d) A statement that the buyer may be charged only for the items that he or she has selected or that are required by law and a description and explanation of any items that he or she is required by law to purchase.

(e) A description of any charge for a cash advance item, including any commission, discount or rebate that the person receives for a cash advance item from the 3rd party from which the cash advance item is obtained and that the person does not pass on to the buyer.

(4) No person who sells a casket, outer burial container or cemetery merchandise may do any of the following:

(a) Provide inaccurate information regarding the information specified in sub. (2) (c), (e), (f) or (g) to a prospective buyer who contacts the person by telephone.

(b) Represent that state or local law requires a prospective buyer to purchase a casket for a direct cremation service.

(c) Misrepresent to a prospective buyer any requirement under federal, state or local law or under the rules of any cemetery, mausoleum or crematory relating to the use of a casket, outer burial container or cemetery merchandise.

(d) Represent that any casket, outer burial container or cemetery merchandise will delay the natural decomposition of human remains for a long or indefinite period of time.

(e) Require a buyer to pay an additional fee or surcharge if the buyer purchases a casket, outer burial container or cemetery merchandise from a 3rd party.

(f) Alter a price specified in sub. (2) (c), (e), (f) or (g) based on the type of casket, outer burial container or cemetery merchandise purchased by a buyer.

(5) A person who sells a casket, outer burial container or cemetery merchandise shall retain a copy of the price list specified in sub. (2) (intro.) for at least one year after the date of its last distribution to a prospective buyer and shall retain a copy of each form that is provided to a buyer under sub. (3) (intro.) for at least one year after completion of a sale. A person required to retain a copy under this subsection shall make the copy available for inspection by the department upon request.

SECTION 2922r. 440.95 (3) of the statutes is amended to read:

440.95 **(3)** Except as provided in subs. (1) and (2), any person who violates s. 440.91 <u>or 440.947</u> or any rule promulgated under s. 440.91 may be fined not more than $1,000 or imprisoned for not more than 6 months or both.

SECTION 2923m. 440.982 (1) (b) of the statutes is amended to read:

440.982 **(1)** (b) Promulgate rules establishing the education, training or competency requirements that an applicant for a license must satisfy in order to be issued a license of registration under this subchapter. The rules shall require an applicant to complete at least 500 classroom hours of study in a course of instruction at a school of massage therapy or bodywork approved under s. ~~39.51~~ <u>45.54</u> and the rules may require an applicant to pass an examination, administered or approved by the department, to determine fitness to practice massage therapy or bodywork.

SECTION 2923mm. 445.125 (1) (a) 2. of the statutes is amended to read:

445.125 **(1)** (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made irrevocable as to the first ~~$2,000~~ <u>$2,500</u> of the funds paid under the agreement by each depositor.

SECTION 2923mn. 445.125 (1) (a) 2. of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read: **Vetoed In Part**

445.125 **(1)** (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made irrevocable as to the first ~~$2,500~~ <u>$3,000</u> of the funds paid under the agreement by each depositor.

SECTION 2923t. Subchapter VI of chapter 448 [precedes 448.95] of the statutes is created to read:

CHAPTER 448

SUBCHAPTER VI

ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD

448.95 Definitions. In this subchapter:

(1) "Affiliated credentialing board" means the athletic trainers affiliated credentialing board.

(2) "Athlete" means a person participating in vigorous activities, sports, games or recreation.

(3) "Athletic injury" means any of the following:

(a) An injury or illness sustained by an athlete as a result of the athlete's participation in exercise, sports, games or recreation.

(b) An injury or illness that impedes or prevents an athlete from participating in exercise, sports, games or recreation.

(4) "Athletic trainer" means an individual who engages in athletic training.

(5) "Athletic training" means doing any of the following:

(a) Preventing, recognizing and evaluating athletic injuries.

(b) Managing and administering the initial treatment of athletic injuries.

(c) Giving emergency care or first aid for an athletic injury.

(d) Rehabilitating and physically reconditioning athletic injuries.

(5m) "Consulting physician" means a person licensed as a physician under subch. II who consults with an athletic trainer while the athletic trainer is engaging in athletic training.

(6) "Licensee" means a person who is licensed as an athletic trainer under this subchapter.

448.951 Use of title. Except as provided in s. 448.952, no person may designate himself or herself as an athletic trainer or use or assume the title "athletic trainer", "licensed athletic trainer", "certified athletic trainer" or "registered athletic trainer" or append to the person's name any other title, letters or designation which represents or may tend to represent the person as an athletic trainer unless the person is licensed under this subchapter.

448.952 Applicability. This subchapter does not require a license under this subchapter for any of the following:

(1) Any person lawfully practicing within the scope of a license, permit, registration or certification granted by this state or the federal government, if the person does not represent himself or herself as an athletic trainer.

(2) An athletic training student practicing athletic training within the scope of the student's education or training, if he or she clearly indicates that he or she is an athletic training student.

(3) An athletic trainer who is in this state temporarily with an individual or group that is participating in a specific athletic event or series of athletic events and who is licensed, certified or registered by another state or country or certified as an athletic trainer by the Board of Certification of the National Athletic Trainers Association.

448.9525 Duties of affiliated credentialing board. (1) The affiliated credentialing board shall do all of the following:

(a) Maintain a complete list of athletic trainers licensed under this subchapter that includes the address of each person on the list.

(b) Provide a copy of the list maintained under par. (a) to any person who requests a copy.

(c) Prescribe a form for the recording of a protocol required under s. 448.956 (1).

(d) Promulgate rules establishing the minimum amount of liability insurance or surety bonding that a licensee must have to be eligible for renewal of his or her license.

(2) Subject to s. 448.956 (1), (4) and (5), the affiliated credentialing board and the medical examining board shall jointly promulgate rules relating to the minimum requirements of a protocol required under s. 448.956 (1).

448.953 Licensure of athletic trainers. (1) The affiliated credentialing board shall grant an athletic trainer license to a person who does all of the following:

(a) Submits an application for the license to the department on a form provided by the department.

(b) Pays the fee specified in s. 440.05 (1).

(c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory to the affiliated credentialing board that he or she does not have an arrest or conviction record.

(d) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory to the affiliated credentialing board that he or she does not have a history of alcohol or other drug abuse.

(e) Submits evidence satisfactory to the affiliated credentialing board that he or she has received at least a bachelor's degree from an accredited college or university.

(f) Submits evidence satisfactory to the affiliated credentialing board that he or she has met the requirements for certification established by the National Athletic Trainers Association Board of Certification and has passed the certification examination administered by the National Athletic Trainers Association Board of Certification.

(g) Provides all of the following information:

1. A statement as to whether the person has been granted an athletic trainer credential from any licensing jurisdiction in the United States or in any foreign country.

2. If the person has been granted an athletic trainer credential from any licensing jurisdiction in the United States or in any foreign country, a description of any disciplinary actions initiated against the person by the licensing jurisdiction that issued the credential.

3. A statement as to whether the person has ever applied for an athletic trainer credential from any licensing jurisdiction in the United States or in any foreign country and had the application denied, along with a description of why the credential application was denied.

(h) Passes an examination under s. 448.954.

(2) The affiliated credentialing board may waive the requirements under sub. (1) (c) to (h) for an applicant for a license under sub. (1) who establishes to the satisfaction of the affiliated credentialing board all of the following:

(a) That he or she has been issued a credential as an athletic trainer by another licensing jurisdiction in the United States.

(b) That the jurisdiction that issued the credential under par. (a) has requirements for credentialing that are substantially equivalent to the requirements under sub. (1) (c) to (h).

(3) (a) The affiliated credentialing board shall issue a temporary license to a person who satisfies the requirements under sub. (1) (a) and (c) to (g) and who pays the fee specified in s. 440.05 (6). The temporary license is valid for one year and may not be renewed.

(b) If a person who is issued a temporary license under par. (a) submits, before the temporary license expires, evidence satisfactory to the affiliated credentialing board that he or she has passed the examination required under s. 448.954, the affiliated credentialing board shall issue the person a license under sub. (1).

(4) (a) The affiliated credentialing board shall issue a temporary license to a person who satisfies the requirements under sub. (1) (a), (c) to (e) and (g), pays the fee specified in s. 440.05 (6) and submits evidence satisfactory to the affiliated credentialing board that he or she has engaged in athletic training during each of the 12 consecutive months immediately preceding the effective date of this paragraph .... [revisor inserts date]. The temporary license is valid for 2 years and shall be renewed once if a license holder submits evidence satisfactory to the affiliated credentialing board at the time of renewal that he or she has made significant progress toward satisfying the requirement under sub. (1) (f).

(b) If a person who is issued a temporary license under par. (a) satisfies the requirements under sub. (1) (f) and (h) before the temporary license expires, the affiliated credentialing credentialing board shall issue the person a license under sub. (1).

(5) An application form for a license under this section shall include all of the following:

(a) An affirmation by the applicant that the information that he or she is supplying on the application is true and complete.

(b) A statement that the applicant authorizes the affiliated credentialing board to have access to any of the following:

1. The applicant's records at the college or university at which he or she received the bachelor's degree required under sub. (1) (e).

2. The records of any credentialing authority in any licensing jurisdiction in the United States or in any foreign country that has granted the applicant a credential in athletic training.

448.954 Examination. (1) The affiliated credentialing board shall conduct or arrange for examinations for athletic trainer licensure at least semiannually and at times and places determined by the affiliated credentialing board. Examinations shall consist of written or oral tests, or both, requiring applicants to demonstrate minimum competency in subjects substantially related to athletic training.

(2) In lieu of an examination under sub. (1), the affiliated credentialing board may accept the results of an examination administered by the National Athletic Trainers Association Board of Certification.

448.9545 Continuing education. (1) (a) To be eligible for renewal of a license issued under s. 448.953 (1) or (2), a licensee shall, during the 2–year period immediately preceding the renewal date specified under s. 440.08 (2) (a), complete not less than 30 credit hours of continuing education in courses of study approved by the affiliated credentialing board.

(b) No more than 10 credit hours of the continuing education required under par. (a) may be on any of the following subject areas or combination of subject areas:

1. Management.
2. Risk management.
3. Personal growth.
4. Educational techniques.

(2) The affiliated credentialing board may approve any of the following courses for continuing education credit:

(a) A course that has been approved for continuing education credit by the National Athletic Trainers Association Board of Certification.

(b) Any course that satisfies all of the following:

1. The course is directly related to the practice of athletic training or sports medicine and lasts at least one hour.

2. Each member of the course faculty has expertise in the subject area of the course because he or she has received a degree from an accredited college or university relating to the subject area, has experience or special training in the subject area covered by the course or has previously taught the subject area covered by the course.

3. The course has specific written objectives describing the goals of the course for the participants.

4. The sponsor of the course keeps attendance records for the course and retains copies of those records for at least 4 years after the date of the course.

448.955 Issuance of license; expiration and renewal. (1) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under s. 448.953 (3) or (4), are specified under s. 440.08 (2) (a).

(2) Renewal applications shall be submitted to the department on a form provided, subject to sub. (3), by the department and shall include the renewal fee specified in s. 440.08 (2) (a) and evidence satisfactory to the affiliated credentialing board that the licensee has all of the following:

(a) Completed, during the 2–year period immediately preceding the renewal date specified in s. 440.08 (2) (a), the continuing education requirements specified in s. 448.9545.

(b) Current certification in cardiopulmonary resuscitation.

(c) Liability insurance or a surety bond in at least the minimum amount required by the rules promulgated under s. 448.9525 (1) (d).

(3) A renewal application form for renewal of a license issued under this subchapter shall include all of the following:

(a) A place for the licensee to describe his or her work history, including the average number of hours worked each week, for the 2–year period immediately preceding the renewal date specified in s. 440.08 (2) (a).

(c) A statement, signed by the licensee and the licensee's consulting physician, that a current copy of the protocol required under s. 448.956 (1) is on file at the place of employment of the athletic trainer and of the consulting physician.

448.956 Practice requirements. (1) (a) A licensee may engage in athletic training only in accordance with an evaluation and treatment protocol that is established by the athletic trainer and approved by the consulting physician in accordance with the rules promulgated under s. 448.9525 (2) and recorded on a protocol form prescribed by the affiliated credentialing board under s. 448.9525 (1) (c).

(am) A protocol established under par. (a) shall require an athletic trainer to notify the consulting physician as soon as possible if a person being treated by the athletic trainer sustains new injuries.

(b) A licensee shall have a copy of the protocol established under par. (a) at his or her place of employment at all times.

(c) A protocol established under par. (a) shall be updated no later than 30 days before the date specified in s. 440.08 (2) (a) 14f.

(2) In addition to engaging in athletic training under a protocol established under sub. (1), a licensee may do any of the following:

(a) Monitor the general behavior and general physical response of a person to treatment and rehabilitation, including monitoring whether the person's behavior or response show abnormal characteristics and monitoring whether the person exhibits abnormal signs or symptoms.

(b) Suggest modifications in treatment or rehabilitation of an injured person to the consulting physician or any other health care provider who is providing treatment to the person.

(c) Develop and administer an athletic training program for a person. An athletic training program under this paragraph may include providing education and counseling to a person.

(3) When working on behalf of his or her primary employer, a licensee may, in accordance with a protocol established under sub. (1) (a), do all of the following:

(a) Treat and rehabilitate an athletic injury using cold, heat, light, sound, electricity, exercise, chemicals or mechanical devices.

(b) Evaluate and treat a person for an athletic injury that has not previously been diagnosed.

(c) Treat or rehabilitate an employe of the primary employer with an injury that is identical to an athletic injury and that has resulted from an occupational activity as directed, supervised and inspected by a physician, as defined in s. 448.01 (5), or by a person licensed under s. 446.02, who has the power to direct, decide and oversee the implementation of the treatment or rehabilitation.

(4) If a licensee or the consulting physician of the licensee determines that a patient's medical condition is beyond the scope of practice of the licensee, the licensee shall, in accordance with the protocol established under sub. (1) (a), refer the patient to a health care practitioner who is licensed under ch. 446 or 447 or subch. II, III or IV of ch. 448 and who can provide appropriate treatment to the patient.

(5) A licensee shall modify or terminate treatment of a patient that is not beneficial to a patient or that the patient cannot tolerate.

448.957 Disciplinary proceedings and actions. (1) Subject to the rules promulgated under s. 440.03 (1), the affiliated credentialing board may make investigations and conduct hearings to determine whether a violation of this subchapter or any rule promulgated under this subchapter has occurred.

(2) Subject to the rules promulgated under s. 440.03 (1), the affiliated credentialing board may reprimand a licensee or may deny, limit, suspend or revoke a license granted under this subchapter if it finds that the applicant or licensee has done any of the following:

(a) Made a material misstatement in an application for a license or for renewal of a license.

(b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the circumstances of which substantially relate to the practice of athletic training.

(c) Advertised in a manner that is false, deceptive or misleading.

(d) Advertised, practiced or attempted to practice under another's name.

(e) Subject to ss. 111.321, 111.322 and 111.34, practiced athletic training while the applicant's or licensee's ability to practice was impaired by alcohol or other drugs.

(f) Engaged in unprofessional or unethical conduct.

(g) Engaged in conduct while practicing athletic training that evidences a lack of knowledge or ability to apply professional principles or skills.

(h) Failed to cooperate with the affiliated credentialing board in an investigation under this section.

(i) Aided another person in violating this subchapter or any rule promulgated under this subchapter.

(j) Violated this subchapter or any rule promulgated under this subchapter.

(3) In addition to or in lieu of the penalties provided under sub. (2), the affiliated credentialing board may assess against an applicant or licensee a forfeiture of not

more than $10,000 for each violation specified under sub. (2).

448.958 Injunctive relief. If the affiliated credentialing board has reason to believe that any person is violating this subchapter or any rule promulgated under this subchapter, the affiliated credentialing board, the department, the attorney general or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring an action in the name and on behalf of this state to enjoin the person from the violation.

448.959 Penalties. Any person who violates this subchapter or any rule promulgated under this subchapter may be fined not more than $10,000 or imprisoned for not more than 9 months or both.

SECTION 2923v. 450.10 (3) (a) 5q. of the statutes is created to read:

450.10 **(3)** (a) 5q. An athletic trainer licensed under subch. VI of ch. 448.

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 2926b. 551.32 (1) (bm) 1. (intro.) of the statutes is amended to read:

551.32 **(1)** (bm) 1. (intro.) In addition to information required under par. (b) and except as provided in par. (bs), an application under par. (a) shall contain the following:

SECTION 2926e. 551.32 (1) (bs) of the statutes is created to read:

551.32 **(1)** (bs) 1. If an applicant for the issuance or renewal of a license under this section is an individual who does not have a social security number, the applicant, as a condition of applying for or applying to renew the license, shall submit a statement made or subscribed under oath or affirmation to the division that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development.

2. Any license issued or renewed in reliance upon a false statement submitted by an applicant under subd. 1. is invalid.

SECTION 2926m. 551.34 (1m) (a) 1. of the statutes is amended to read:

551.34 **(1m)** (a) 1. The applicant fails to provide ~~the~~ any information required under s. 551.32 (1) (bm) 1.

SECTION 2926p. 551.34 (1m) (a) 3. of the statutes is amended to read:

551.34 **(1m)** (a) 3. The applicant is an individual ~~who fails to provide his or her social security number,~~ who fails 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 or who is delinquent in making 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, as provided in a memorandum of understanding entered into under s. 49.857. An applicant whose application is denied under this subdivision for delinquent payments is entitled to a notice and hearing under s. 49.857 but is not entitled to any other notice or hearing under this section.

SECTION 2926s. 551.34 (1m) (b) of the statutes is amended to read:

551.34 **(1m)** (b) ~~The~~ Unless s. 551.32 (1) (bs) 1. applies to the licensee, the division shall restrict or suspend a license under this subchapter if the licensee is an individual who fails to provide his or her social security number~~,~~. The division shall restrict or suspend a license under this subchapter if the licensee is an individual who fails 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 or who is delinquent in making 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, as provided in a memoran-

dum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this paragraph is entitled to a notice and hearing under s. 49.857 but is not entitled to any other notice or hearing under this section.

SECTION 2927a. 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 2927m. 560.031 of the statutes is repealed and recreated to read:

560.031 Recycling market development. (1) In this section:

(d) "Responsible unit" has the meaning given in s. 287.01 (9).

(2) (a) At the request of the board, the department shall provide the financial assistance awarded by the board under subs. (3) and (4).

(b) 1. The department shall provide the financial assistance awarded under sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

Vetoed In Part

2. The department shall provide the financial assistance awarded under sub. (4) from the appropriation under s. 20.143 (1) (L).

(3) The board may award a grant, loan or manufacturing rebate under this subsection to a governmental unit or business entity for a project to assist waste generators in the marketing of recovered materials or to develop markets for recovered materials. Before awarding a grant, loan or manufacturing rebate, the board shall consider the extent to which the project does the following:

(a) Maximizes the marketability of recovered materials on a statewide basis.

(b) Minimizes the amount of recovered materials disposed of in landfills or burned without energy recovery in incinerators.

(c) Includes materials that are banned from landfills and that will support community recycling efforts.

(d) Maintains present markets or creates new or expanded markets for recovered materials.

(4) The board shall award a grant of $50,000 in each fiscal year to a private, nonprofit, industry–supported organization that is described in section 501 (c) (3) of the Internal Revenue Code and that provides waste reduction and recycling assistance through business–to–business peer exchange. An organization that is awarded a grant must be instrumental in assisting and encouraging companies and institutions to reduce their operating costs through improved production and solid waste management practices and must be in existence on the effective date of this subsection .... [revisor inserts date].

(5) If the board determines that financial assistance is required to stimulate an activity that it determines is needed to assist responsible units in the marketing of recovered materials or to develop markets for recovered materials, the board shall request the department to issue a request for proposals for that activity, unless the board determines that a request for proposals is not an effective means for distributing the financial assistance for that activity. Upon a request from the board under this subsection, the department shall issue a request for proposals for the activity specified by the board.

(6) The department shall annually contract for the operation of a statewide materials exchange program with a materials exchange program that received funding from the board in the 1997–99 fiscal biennium. The department shall provide funding for the materials exchange program from the appropriation under s. 20.143 (1) (tm).

Vetoed In Part

(7) The department shall consult with the board and seek advice from the council on recycling before promulgating any rules under this section.

SECTION 2929f. 560.045 of the statutes is renumbered 560.045 (1).

SECTION 2929g. 560.045 (2) of the statutes is created to read:

560.045 **(2)** The department shall expand the blight elimination and brownfield redevelopment program under subch. V of ch. Comm 108, Wis. Adm. Code, to fund redevelopment planning and projects that will result in end uses with taxable value.

SECTION 2931. 560.06 (title) of the statutes is amended to read:

560.06 (title) **Memorandum of understanding on use of allocated moneys <u>for providing assistance to a nonprofit organization</u>.**

SECTION 2932. 560.06 of the statutes is renumbered 560.06 (1) and amended to read:

560.06 **(1)** The department may provide assistance to a nonprofit organization that provides assistance to organizations and individuals in urban areas. No later than December 30, 1997, the department of commerce shall enter into a memorandum of understanding with the department of administration that specifies how the department of commerce may use the moneys allocated under s. 20.143 (1) (c) for providing assistance under this ~~section~~ <u>subsection</u>.

SECTION 2933. 560.06 (2) of the statutes is created to read:

560.06 **(2)** In fiscal year 1999–2000, the department may provide up to $100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to a nonprofit organization that provides assistance to organizations and individuals in urban areas. Notwithstanding sub. (1), the department shall use the moneys authorized under this subsection in accordance with the memorandum of understanding under sub. (1).

SECTION 2937. 560.081 (2) (h) of the statutes is amended to read:

560.081 **(2)** (h) Provide training, technical assistance and information on the revitalization of business areas to municipalities which do not participate in the state main street program. 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).

Vetoed In Part

SECTION 2937d. 560.081 (3) of the statutes is created to read:

560.081 **(3)** (a) From the appropriations under s. 20.143 (1) (c) and (ie), the department may award grants to municipalities participating in the state main street program to fund revitalization and other activities related to participation in the program.

(b) The department may not award more than $250,000 annually in grants under this subsection.

(c) The department shall promulgate rules for applying for, awarding and administering the grants under this subsection, including rules related to acceptable uses for the grant proceeds and reporting on the use of the grant proceeds.

SECTION 2937f. 560.083 of the statutes is created to read:

560.083 Grants for public retail markets. (1) In this section, "municipality" means a city, village, town or county in this state.

(2) From the appropriation under s. 20.143 (1) (c), the department may make grants to municipalities and nonprofit organizations to fund costs related to conducting public retail markets. The department shall promulgate rules for the administration of this section.

SECTION 2937m. 560.09 (5) of the statutes is repealed.

Vetoed In Part

SECTION 2937r. 560.13 (title) of the statutes is amended to read:

560.13 (title) **Brownfields and groundwater contamination grant program.**

SECTION 2938c. 560.13 (2) (a) 1. of the statutes is amended to read:

560.13 **(2)** (a) 1. The recipient uses the grant proceeds for brownfields redevelopment or associated environmental remediation activities or for a project relating to the remediation of area–wide groundwater contamination.

Vetoed In Part

SECTION 2938f. 560.13 (2) (a) 2. (intro.) of the statutes is amended to read:

560.13 **(2)** (a) 2. (intro.) All of the following are unknown, cannot be located or are financially unable to pay the cost of brownfields redevelopment or associated environmental remediation activities or of a groundwater contamination remediation project:

SECTION 2939n. 560.13 (3) (c) of the statutes is created to read:

560.13 **(3)** (c) In awarding grants under this section, beginning with grants awarded in fiscal year 2000–01, the department shall accord a weight to a project's job creation potential that is approximately 50% of the weight accorded that factor in awarding grants under this section before fiscal year 2000–01.

SECTION 2944c. 560.13 (4) (a) (intro.) of the statutes is amended to read:

560.13 **(4)** (a) (intro.) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year ~~1997–98, and from the appropriation under s. 20.143 (1) (qm) in fiscal year 1998–99~~ 1999–2000, the department shall award all of the following ~~in each of those fiscal years~~:

SECTION 2945c. 560.13 (4) (a) 1. of the statutes is amended to read:

560.13 **(4)** (a) 1. A total of ~~$750,000~~ $870,000 in grants that do not exceed $300,000.

SECTION 2945d. 560.13 (4) (a) 2. of the statutes is amended to read:

560.13 **(4)** (a) 2. A total of ~~$1,750,000~~ $2,030,000 in grants that are greater than $300,000 but that do not exceed $700,000.

SECTION 2945e. 560.13 (4) (a) 3. of the statutes is amended to read:

560.13 **(4)** (a) 3. A total of ~~$2,500,000~~ $2,900,000 in grants that are greater than $700,000 but that do not exceed $1,250,000.

SECTION 2945m. 560.13 (4) (am) of the statutes is created to read:

560.13 **(4)** (am) From the appropriations under s. 20.143 (1) (br) and (qm) in fiscal year 2000–01, the department shall award all of the following:

1. A total of $960,000 in grants that do not exceed $300,000.

2. A total of $2,240,000 in grants that are greater than $300,000 but that do not exceed $700,000.

3. A total of $3,200,000 in grants that are greater than $700,000 but that do not exceed $1,250,000.

4. At least $1,400,000 in grants for projects evaluated without consideration of the number of jobs that will be created by the projects.

Vetoed In Part

SECTION 2948c. 560.13 (6m) of the statutes is created to read:

560.13 **(6m)** Receipt of a grant under this section shall not render the recipient ineligible for a loan or any other grant awarded by the state, unless under the eligibility criteria of the loan or other grant the recipient is excluded by virtue of having received the grant.

SECTION 2952. 560.137 of the statutes is created to read:

560.137 Gaming economic development grants and loans. (1) In this section:

(a) "Native American business" means a sole proprietorship, partnership, limited liability company, joint venture or corporation that is at least 51% owned, controlled and actively managed by a member or members of a federally recognized American Indian tribe or band in this state.

(b) "Professional services" has the meaning given in s. 560.17 (1) (c).

(c) "Qualified business" means an existing business, including a Native American business, that is located in this state.

(2) Subject to subs. (3), (4) and (5), from the appropriations under s. 20.143 (1) (ig) and (kj), the department may do all of the following:

(a) Make a grant that does not exceed $15,000 to a qualified business for professional services.

(b) Make a grant or loan that does not exceed $100,000 to a qualified business for fixed asset financing.

(3) The department may not make a grant or loan to a qualified business under this section unless the department determines all of the following:

(a) That the qualified business has been negatively impacted by the existence of a casino.

(b) That the qualified business has a legitimate need for the grant or loan to improve the profitability of the business.

(4) As a condition of approval of a grant or loan under this section, the department shall require that the qualified business provide matching funds for at least 25% of the cost of the project. The department may waive the requirement under this subsection if the department determines that the qualified business is subject to extreme financial hardship.

(5) The department may not award a grant or loan under this section to a qualified business for any purpose that is related to tourism unless the department of tourism concurs in the award.

(6) (a) The department shall deposit into the appropriation account under s. 20.143 (1) (ig) all moneys received in repayment of loans made under this section.

(b) The department may forgive all or any part of a loan made under this section.

SECTION 2953. 560.138 of the statutes is created to read:

560.138 Gaming economic diversification grants and loans. (1) In this section:

(a) "Native American business" means a sole proprietorship, partnership, limited liability company, joint venture or corporation that is at least 51% owned, controlled and actively managed by a member or members of a federally recognized American Indian tribe or band in this state.

(b) "Qualified business" means an existing business, including a Native American business, that is located in or expanding into this state.

(2) (a) Subject to subs. (3) and (4), from the appropriations under s. 20.143 (1) (id) and (km), the department may make a grant or loan to a qualified business for a project for the purpose of diversifying the economy of a community.

(b) In determining whether to award a grant or loan under this section, the department shall consider all of the following:

1. A project's potential to retain or increase the number of jobs.

2. A project's potential to provide for significant capital investment.

3. A project's contribution to the economy of the community.

(3) As a condition of approval of a grant or loan under this section, the department shall require that a qualified business provide matching funds for at least 25% of the cost of a project.

(4) The department may not award a grant or loan under this section to a qualified business for any purpose that is related to tourism unless the department of tourism concurs in the award.

(5) The department shall deposit into the appropriation account under s. 20.143 (1) (id) all moneys received in repayment of loans made under this section.

SECTION 2953g. 560.139 of the statutes is created to read:

560.139 Economic development grants. (1) REMEDIATION AND ECONOMIC REDEVELOPMENT. (a) Subject to par. (b), from the appropriation under s. 20.143 (1) (kj), the department shall make grants annually to the city of Milwaukee to fund a program to be administered by the Milwaukee Economic Development Corporation. Under the program, the Milwaukee Economic Development Corporation shall provide grants to persons for remediation and economic redevelopment projects in the Menomonee valley. A person may not receive a grant unless the person provides matching funds for at least 50% of the cost of the project. **Vetoed In Part**

(b) The department may not expend more than $900,000 in grants to the city of Milwaukee under this subsection annually. **Vetoed In Part**

(2) COMMUNITY–BASED VENTURE FUND. (a) From the appropriation under s. 20.143 (1) (kj), the department shall make grants to the Northwest Regional Planning Commission to match federal or private funds for the purpose of establishing a community–based venture fund.

Subject to par. (b), the department shall provide grants each year in an amount that equals 50% of the total amount that the Northwest Regional Planning Commission receives in the year from federal or private sources for the community–based venture fund.

Vetoed In Part

(b) The department may not expend more than $150,000 in grants under this subsection annually.

Vetoed In Part

SECTION 2953h. 560.139 (1) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

560.139 **(1)** (a) Subject to par. (b), from the appropriation under s. 20.143 (1) (kj) or (km) or from both appropriations, the department shall make grants annually to the city of Milwaukee to fund a program to be administered by the Milwaukee Economic Development Corporation. Under the program, the Milwaukee Economic Development Corporation shall provide grants to persons for remediation and economic redevelopment projects in the Menomonee valley. A person may not receive a grant unless the person provides matching funds for at least 50% of the cost of the project.

Vetoed In Part

SECTION 2953i. 560.139 (2) (a) of the statutes, as created by 1999 Wisconsin Act .... (this act), is amended to read:

560.139 **(2)** (a) From the appropriation under s. 20.143 (1) (kj) or (km) or from both appropriations, the department shall make grants to the Northwest Regional Planning Commission to match federal or private funds for the purpose of establishing a community–based venture fund. Subject to par. (b), the department shall provide grants each year in an amount that equals 50% of the total amount that the Northwest Regional Planning Commission receives in the year from federal or private sources for the community–based venture fund.

Vetoed In Part

SECTION 2954. 560.14 (4) (a) of the statutes is renumbered 560.14 (4), and 560.14 (4) (intro.), (f) and (g), as renumbered, are amended to read:

560.14 **(4)** (intro.) ~~Subject to par. (b), the~~ The department may make a grant under this subsection from the appropriation under s. 20.143 (1) (fg) to a community–based organization for regional economic development activity if all of the following apply:

(f) The applicants submit a plan that describes the economic development activity, how the economic development activity satisfies the criteria under this ~~paragraph~~ subsection, how the grant will be administered and how the grant proceeds will be used to support the economic development activity; and the secretary approves the plan.

(g) The applicants provide documentation of the contributions required under ~~subd. 5~~ par. (e).

SECTION 2955. 560.14 (4) (b) of the statutes is repealed.

SECTION 2955m. 560.17 (5r) of the statutes is created to read:

560.17 **(5r)** (a) Under this subsection, the board may award to a business a loan that does not exceed $50,000 if all of the following apply:

1. The business, together with any affiliate, subsidiary or parent entity, has fewer than 50 employes.

2. The business is or will be located in a rural municipality.

3. The rural municipality in which the business is or will be located satisfies either of the following criteria:

a. The rural municipality is located in a county that has a median household income that is lower than the state median household income.

b. If the rural municipality is located in a county that has a median household income that is higher than the state median household income, the rural municipality has a median household income that is lower than the county median household income.

4. The business is starting or expanding its operations.

5. The operations of the business do not involve metallic mining activities.

6. The owner of the business attends a class that provides instruction in writing a business plan, making a business loan application and managing a start–up business.

(b) A business applying for a loan under this subsection must submit an application package that includes a business plan and such personal and business financial information as the board requires to enable the board to assess sufficiently the potential viability of the business. The department shall assist a business in preparing an application.

(c) A business that receives a loan under this subsection may use the loan proceeds for any of the following purposes:

1. The purchase or improvement of land.

2. The purchase of buildings, furniture, fixtures, machinery, equipment or inventory.

3. Job training costs.

4. Employe relocation costs.

5. Working capital.

(d) If a business that receives a loan under this subsection uses the loan proceeds for employe relocation costs under par. (c) 4., the department shall ensure all of the following:

1. That an employe of the business has the option of accepting or declining any relocation assistance that is available as a result of the loan.

2. That the compensation and benefits terms offered at the new location are at least as favorable as those offered by the business at its previous location.

SECTION 2955p. 560.17 (6m) of the statutes is renumbered 560.17 (6m) (a) and amended to read:

560.17 **(6m)** (a) ~~In~~ Except as provided in par. (b), in order to receive a grant or loan under this section a person

or business shall contribute cash, from a source other than the state, in an amount that equals at least 25% of the total cost of the project.

SECTION 2955q. 560.17 (6m) (b) of the statutes is created to read:

560.17 **(6m)** (b) The board shall determine whether, and the extent to which, in order to receive a loan under sub. (5r), a business must contribute from a source other than the state a portion of the cost of the project, except that the board may not require a business to contribute more than 20% of the cost of the project. The contribution may be in cash or in kind. The board shall determine what services or materials may be used as in–kind contributions.

SECTION 2955r. 560.17 (7) (a) of the statutes is amended to read:

560.17 **(7)** (a) Except as provided in par. (am), the department shall designate staff to evaluate applications for grants or loans and assist the board under this section. The board shall act on an application for a grant or loan at its next regularly scheduled meeting after the department determines that the application is complete, except that the board shall act on an application for a loan under sub. (5r) and advise the applicant of its decision within 45 days after the department determines that the application is complete.

SECTION 2956. 560.175 of the statutes is created to read:

560.175 Urban area early planning grants. (1) In this section:

(a) "Early planning project" means the preliminary stages of considering and planning the expansion or start–up of a business that is or will be located in an urban area in this state.

(b) "Urban area" means any of the following:

1. A city, village or town that is located in a county with a population density of at least 150 persons per square mile.

2. A city, village or town with a population of more than 6,000.

(2) Subject to subs. (3) and (6), the department may make a grant from the appropriation under s. 20.143 (1) (c) to a person to fund an early planning project.

(3) The department may not award a grant to a person under this section unless the person submits an application, in a form required by the department, that contains or describes all of the following:

(a) The location of the new or expanding business.

(b) The ownership structure of the new or expanding business.

(c) The product or service provided by the new or expanding business.

(d) The market for the product or service described in par. (c).

(e) Competition within the market described in par. (d).

(f) Any competitive advantages of the new or expanding business.

(g) The person's estimate of the gross revenue of the new or expanding business over a period specified by the department.

(h) The process for manufacturing the product, or providing the services, of the new or expanding business.

(i) An estimate of the number of jobs that will be created by the new or expanding business.

(j) The person's experience and training.

(k) The person's estimate of the profit that will be generated by the new or expanding business over a period specified by the department.

(L) The person's estimate of the capital required to complete the early planning project.

(m) Potential sources of financing for the early planning project.

(n) Any other information that the department requests.

(4) A person who receives a grant under this section may use the grant proceeds only for any of the following:

(a) To perform a business feasibility study.

(b) To prepare a detailed marketing plan.

(c) To prepare a detailed business plan.

(5) In order to receive a grant under this section a person shall contribute cash, from a source other than the state, in an amount that equals at least 25% of the total cost of the project.

(6) (a) In any fiscal biennium, the department may not award to any one person more than $15,000 in grants under this section.

(b) In any fiscal biennium, the department may not award more than $250,000 in grants under this section.

SECTION 2957. 560.183 (3) (b) of the statutes is amended to read:

560.183 **(3)** (b) The agreement shall specify that the responsibility of the department to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and~~, (jm) and (kr).

SECTION 2958. 560.183 (5) (a) of the statutes is amended to read:

560.183 **(5)** (a) The obligation of the department to make payments under an agreement entered into under sub. (3) (b) is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and~~, (jm) and (kr).

SECTION 2959. 560.183 (5) (b) (intro.) of the statutes is amended to read:

560.183 **(5)** (b) (intro.) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and~~, (jm) and (kr), the department shall establish priorities among the eligible applicants based upon the following considerations:

SECTION 2960. 560.183 (8) (intro.) of the statutes is amended to read:

560.183 **(8)** ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under s. 20.143 (1) ~~(f)~~ (kr), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health shall do all of the following:

SECTION 2961. 560.184 (3) (b) of the statutes is amended to read:

560.184 **(3)** (b) The agreement shall specify that the responsibility of the department to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and~~, (jL) and (kr).

SECTION 2962. 560.184 (5) (a) of the statutes is amended to read:

560.184 **(5)** (a) The obligation of the department to make payments under an agreement entered into under sub. (3) is subject to the availability of funds in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and~~, (jL) and (kr).

SECTION 2963. 560.184 (5) (b) (intro.) of the statutes is amended to read:

560.184 **(5)** (b) (intro.) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.143 (1) ~~(f),~~ (jc) ~~and~~, (jL) and (kr), the department shall establish priorities among the eligible applicants based upon the following considerations:

SECTION 2964. 560.184 (7) (intro.) of the statutes is amended to read:

560.184 **(7)** ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under s. 20.143 (1) ~~(f)~~ (kr), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health shall do all of the following:

SECTION 2965. 560.19 (title) of the statutes is amended to read:

560.19 (title) **~~Hazardous pollution~~ Pollution prevention.**

SECTION 2966. 560.19 (1) of the statutes is amended to read:

560.19 **(1)** In this section, "~~hazardous~~ pollution prevention" has the meaning given in s. 299.13 (1) ~~(c)~~ (dm).

SECTION 2967. 560.19 (2) (a) 1. of the statutes is amended to read:

560.19 **(2)** (a) 1. Determining the full costs of using and producing hazardous substances, toxic pollutants and solid or hazardous waste.

SECTION 2968. 560.19 (2) (a) 2. of the statutes is amended to read:

560.19 **(2)** (a) 2. Identifying processes that use or produce hazardous substances, toxic pollutants or solid or hazardous waste and the composition of the hazardous substances, toxic pollutants or solid or hazardous waste.

SECTION 2969. 560.19 (2) (a) 3. of the statutes is amended to read:

560.19 **(2)** (a) 3. Identifying ~~hazardous~~ pollution prevention options.

SECTION 2970. 560.19 (2) (b) 1. of the statutes is amended to read:

560.19 **(2)** (b) 1. The need for a ~~hazardous~~ pollution prevention assessment and a program participant's willingness to participate in an assessment.

SECTION 2971. 560.19 (2) (b) 2. of the statutes is amended to read:

560.19 **(2)** (b) 2. The technical and financial ability of a program participant to implement ~~hazardous~~ pollution prevention.

SECTION 2972. 560.19 (2) (b) 3. of the statutes is amended to read:

560.19 **(2)** (b) 3. The potential for others to use the information gained from a ~~hazardous~~ pollution prevention assessment.

SECTION 2973. 560.19 (3) of the statutes is amended to read:

560.19 **(3)** In coordination with the ~~hazardous pollution prevention program~~ solid and hazardous waste education center under s. 36.25 (30) and the department of natural resources, the department shall conduct an education, environmental management and technical assistance program to promote ~~hazardous~~ pollution prevention among businesses in the state.

SECTION 2974. 560.20 (1) (f) of the statutes is amended to read:

560.20 **(1)** (f) "Small business" means a for–profit business having fewer than ~~25~~ 100 full–time employes.

SECTION 2975. 560.20 (2) (a) of the statutes is amended to read:

560.20 **(2)** (a) The department may provide technical assistance to an individual, small business or nonprofit organization. In addition to or in lieu of the technical assistance provided by the department and subject to par. (e), the department may make a grant to an individual, small business or nonprofit organization from the appropriation under s. 20.143 (1) (en) to partially fund technical assistance provided to the individual, small business or nonprofit organization. Technical assistance or a grant for technical assistance provided under this paragraph shall be for the purpose of developing and planning, at the preliminary stages, the start–up or expansion of a for–profit business that is or will be located in this state.

SECTION 2976. 560.20 (2) (e) of the statutes is created to read:

560.20 **(2)** (e) If the department makes a grant under par. (a), the department may contract directly with and pay grant proceeds directly to any person providing technical assistance to the individual, small business or nonprofit organization for the purpose specified in par. (a).

SECTION 2977. 560.20 (3) (a) (intro.) of the statutes is amended to read:

560.20 **(3)** (a) (intro.) ~~The~~ Subject to par. (cm), the department may award funds appropriated under s. 20.143 (1) (en) and (in) to an individual, small business or nonprofit organization for use in connection with the start–up or expansion of a for–profit business if all of the following apply:

SECTION 2978. 560.20 (3) (cm) of the statutes is created to read:

560.20 **(3)** (cm) If the department awards a grant under this subsection, the department may contract directly with and pay grant proceeds directly to any person providing management assistance to the individual, small business or nonprofit organization.

SECTION 2979. 560.25 of the statutes is created to read:

560.25 Manufacturing extension center grants. (1) DEFINITIONS. In this section:

(a) "Biotechnology" means technology related to life sciences.

(b) "Business" means a company located in this state, a company that has made a firm commitment to locate a facility in this state or a group of companies at least 80% of which are located in this state.

(c) "Technology" includes biotechnology.

(d) "Technology–based nonprofit organization" means a nonprofit corporation, as defined in s. 181.0103 (17), or an organization described in section 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under section 501 (a) of the Internal Revenue Code, and that has as a mission the transfer of technology to businesses in this state.

(2) GRANTS. Subject to subs. (4) and (5), the department may make a grant from the appropriation under s. 20.143 (1) (ie) to a technology–based nonprofit organization to provide support for a manufacturing extension center if all of the following apply:

(a) The technology–based nonprofit organization submits to the department a plan detailing its proposed expenditures and performance measures related to the project.

(b) The secretary approves the plan submitted under par. (a).

(3) RESTRICTION ON GRANT RECIPIENTS. A technology–based nonprofit organization that receives a grant under this section is thereafter ineligible to receive a grant or loan under subch. V.

(4) LIMIT ON GRANTS. The department may not award more than $1,000,000 in grants under this section in a fiscal year.

(5) PROGRAM SUNSET. The department may not encumber any moneys under this section after June 30, 2001.

SECTION 2980m. 560.26 of the statutes is created to read:

560.26 Wisconsin Procurement Institute grants. (1) Subject to sub. (3), the department shall make grants annually from the appropriation under s. 20.143 (1) (c) to the Wisconsin Procurement Institute if all of the following apply: **Vetoed In Part**

(a) The Wisconsin Procurement Institute uses the grant proceeds to further its efforts to secure federal government contracts and create jobs in the state.

(b) The Wisconsin Procurement Institute submits a plan to the department for each grant detailing the proposed use of the grant and the secretary approves the plan.

(c) The Wisconsin Procurement Institute enters into a written agreement with the department that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

(d) The Wisconsin Procurement Institute agrees in writing to submit to the department the report required under sub. (2) by the time required under sub. (2).

(2) If the Wisconsin Procurement Institute receives a grant under this section, 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.

(3) The department may not make grants under sub. (1) that exceed $100,000 in total in any year. **Vetoed In Part**

SECTION 2983c. 560.28 of the statutes is created to read:

560.28 Biotechnology development finance company. (1) In this section: **Vetoed In Part**

(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

Vetoed In Part

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 department shall 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. From the appropriation under s. 20.143 (1) (c), the department shall make a one–time grant to the company for start–up capital and for reasonable administrative expenses of the company. The grant under this paragraph may not exceed $1,000,000.

(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 department shall enter into a contract with the biotechnology development finance company. The contract shall provide that the department may make use of the services of the biotechnology development finance company and that the department shall advise, assist and provide administrative services to the biotechnology development finance company. The department shall determine the type and scope of any administrative services provided by the department to the biotechnology development finance company. The department 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.

Vetoed In Part

(4) (a) The board of directors of the biotechnology development finance company shall consist of all of the following members:

1. The secretary, or his or her designee.

2. The secretary of administration, or his or her designee.

3. The executive director of the investment board, or his or her designee.

4. The executive director of the Wisconsin Housing and Economic Development Authority, 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 department. Neither the state, any political subdivision of the state nor the department 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 department is liable for any debt or liability of the biotechnology development finance company.

SECTION 2984. 560.60 (4) of the statutes is amended to read:

560.60 **(4)** "Eligible recipient" means a governing body or a person who is eligible to receive ~~a grant under s. 560.615,~~ a grant or loan under s. 560.62, a grant or loan under s. 560.63 or a grant or loan under s. 560.65.

SECTION 2985. 560.60 (10) of the statutes is amended to read:

560.60 **(10)** "Job" means a ~~regular, nonseasonal full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays~~ position providing full–time equivalent employment. "Job" does not include initial training before an employment position begins.

SECTION 2986. 560.605 (1) (e) (intro.) and 1. of the statutes are consolidated, renumbered 560.605 (1) (e) and amended to read:

560.605 **(1)** (e) ~~The~~ Except as provided in s. 560.68 (6), the eligible recipient receiving the grant or loan will contribute, from funds not provided by this state, ~~whichever of the following applies: 1. Except as provided under subd. 3. and s. 560.68 (6),~~ not less than 25% of the cost of the project.

SECTION 2987. 560.605 (1) (e) 3. of the statutes is repealed.

SECTION 2988. 560.605 (1) (f) of the statutes is amended to read:

560.605 **(1)** (f) The project meets all criteria set forth in s. ~~560.615,~~ 560.62, 560.63, 560.65 or 560.66, whichever is appropriate.

SECTION 2989. 560.605 (1) (g) of the statutes is amended to read:

560.605 **(1)** (g) Funds from the grant or loan under s. ~~560.615,~~ 560.62, 560.63, 560.65 or 560.66 will not be used to pay overhead costs, except as provided in s. 560.65 (1m) (b), or to replace funds from any other source.

SECTION 2990. 560.605 (1) (i) of the statutes is created to read:

560.605 **(1)** (i) The eligible recipient has not received a grant under s. 560.25.

SECTION 2991. 560.605 (2) (intro.) of the statutes is amended to read:

560.605 **(2)** (intro.) The board shall consider all of the following before awarding a grant or loan to an eligible recipient for a project under s. ~~560.615,~~ 560.62, 560.63 or 560.66:

SECTION 2992. 560.605 (2m) (intro.) of the statutes is amended to read:

560.605 **(2m)** (intro.) When considering whether a project under s. ~~560.615,~~ 560.62, 560.63 or 560.66 will be located in a targeted area, the board shall consider all of the following:

SECTION 2993. 560.607 (3) of the statutes is created to read:

560.607 **(3)** Evaluation costs, collection costs, foreclosure costs and other costs associated with administering the loan portfolio under this subchapter, excluding staff salaries.

SECTION 2994. 560.61 (1) of the statutes is amended to read:

560.61 **(1)** Make a grant or loan to an eligible recipient for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. ~~560.615,~~ 560.62, 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under s. 20.143 (1) (c), (cb)~~,~~ and (ie)~~, (s) and (sm)~~.

SECTION 2995. 560.615 of the statutes is repealed.

SECTION 2996. 560.62 (4) of the statutes is renumbered 560.607, and 560.607 (intro.) and (1), as renumbered, are amended to read:

560.607 Miscellaneous and administrative expenditures. (intro.) In each biennium, the ~~board~~ department may expend or encumber up to a total of 1% of the moneys appropriated under s. 20.143 (1) (c) for that biennium for any of the following:

(1) Evaluations of proposed technical research projects under s. 560.62.

SECTION 2996g. 560.63 (4) of the statutes is amended to read:

560.63 **(4)** The contribution required under s. 560.605 (1) (e) may consist of funding or of in–kind contributions. Not more than 20% of the contribution of a business may consist of funding which the business receives under the federal ~~job training partnership act, 29 USC 1501 to 1781~~ Workforce Investment Act of 1998, 29 USC 2801 to 2945.

SECTION 2996p. 560.65 (4) (a) of the statutes is repealed.

SECTION 2997. 560.66 (1) (intro.) of the statutes is amended to read:

560.66 **(1)** (intro.) The board may award grants and loans under s. 560.61 to eligible recipients for any project that is not eligible for a grant or loan under s. ~~560.615,~~ 560.62 or 560.63, if the board determines that the project is a major economic development project and considers all of the following:

SECTION 2998. 560.68 (3) of the statutes is amended to read:

560.68 **(3)** The department may charge a grant or loan recipient an origination fee of up to ~~1.5%~~ 2% of the grant or loan amount if the grant or loan exceeds $200,000 and is awarded under s. 560.63 or 560.66. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

SECTION 2998g. 560.70 (7) of the statutes is amended to read:

560.70 **(7)** "Tax benefits" means the development zones credit under ss. 71.07 (2dx), 71.28 (1dx) and 71.47 (1dx), except that in s. 560.795, "tax benefits" means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di) and 71.47 (1di) and the development

zones credit under ss. 71.07 (2dx), 71.28 (1dx) and 71.47 (1dx).

SECTION 2998p. 560.737 (1) (b) of the statutes is amended to read:

560.737 **(1)** (b) A ~~job training partnership program~~ workforce investment activity under ~~29 USC 1502~~ 29 USC 2801 to 2945.

SECTION 2999. 560.745 (2) (a) of the statutes is amended to read:

560.745 **(2)** (a) When the department designates a development zone under s. 560.71, it shall establish a limit for tax benefits for the development zone determined by allocating to the development zone a portion of ~~$33,155,000~~ $38,155,000.

SECTION 3000. 560.75 (11) of the statutes is repealed.

SECTION 3000n. 560.785 (1) (intro.) of the statutes is amended to read:

560.785 **(1)** (intro.) For the development zone program under ss. 560.70 to 560.78, the development opportunity zone program under s. 560.795 and the enterprise development zone program under s. 560.797, the department shall promulgate rules that further define a person's eligibility for tax benefits. The rules shall do at least all of the following:

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, as a development opportunity 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, as a development opportunity zone or as an enterprise development zone for any of the following:

SECTION 3004m. 560.785 (1) (d) of the statutes is amended to read:

560.785 **(1)** (d) ~~Require~~ Except for a person claiming tax benefits only for environmental remediation under s. 71.07 (2dx) (b) 1., 71.28 (1dx) (b) 1. or 71.47 (1dx) (b) 1., require at least 25% of the tax benefits claimed by a person to be based on creating or retaining full–time jobs.

SECTION 3005. 560.785 (1) (e) of the statutes is amended to read:

560.785 **(1)** (e) Require at least one–third of the tax benefits claimed by a person that are based on creating ~~or retaining~~ full–time jobs to be based on creating ~~or retaining~~ full–time jobs that are filled by members of the target population.

SECTION 3005m. 560.785 (1) (h) of the statutes is created to read:

560.785 **(1)** (h) Provide that a person's eligibility to claim tax benefits for environmental remediation under s. 71.07 (2dx) (b) 1., 71.28 (1dx) (b) 1. or 71.47 (1dx) (b) 1. is not based on creating or retaining jobs.

SECTION 3006. 560.785 (2) (c) of the statutes is created to read:

560.785 **(2)** (c) The requirement under ss. 560.70 (2m) and 560.797 (1) (am) that an individual's position must be regular, nonseasonal and full–time and that the individual must be required to work at least 2,080 hours per year, including paid leave and holidays.

SECTION 3006h. 560.795 (1) (d) of the statutes is created to read:

560.795 **(1)** (d) An area in the city of Kenosha, the legal description of which is provided to the department by the local governing body of the city of Kenosha.

SECTION 3006j. 560.795 (2) (a) of the statutes is amended to read:

560.795 **(2)** (a) Except as provided in par. (d), the designation of each area under sub. (1) (a), (b) and (c) as a development opportunity zone shall be effective for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on April 28, 1995. Except as provided in par. (d), the designation of the area under sub. (1) (d) as a development opportunity zone shall be effective for 84 months, beginning on January 1, 2000.

SECTION 3006L. 560.795 (2) (b) 4. of the statutes is created to read:

560.795 **(2)** (b) 4. The limit for tax benefits for the development opportunity zone under sub. (1) (d) is $7,000,000.

SECTION 3006n. 560.795 (3) (a) 3. of the statutes is created to read:

560.795 **(3)** (a) 3. Any corporation that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (d) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the department no later than July 1, 2000, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

SECTION 3006p. 560.795 (3) (d) of the statutes is amended to read:

560.795 **(3)** (d) The department annually shall verify information submitted to the department under s. 71.07 (2di) or (2dx), 71.28 (1di) or (1dx) or 71.47 (1di) or (1dx).

SECTION 3008. 560.795 (3) (e) of the statutes is repealed.

SECTION 3009. 560.797 (1) (aj) of the statutes is created to read:

560.797 **(1)** (aj) "Environmental remediation" has the meaning given in s. 71.07 (2dx) (a) 3.

SECTION 3010. 560.797 (2) (bg) of the statutes is created to read:

560.797 **(2)** (bg) Notwithstanding par. (a) and subject to pars. (c) and (d), the department may designate an area as an enterprise development zone for a project if the department determines all of the following:

1. That the project serves a public purpose.

2. That the project is not likely to occur or continue without the department's designation of the area as an enterprise development zone.

3. That the project will likely provide for significant environmental remediation.

SECTION 3011. 560.797 (2) (br) of the statutes is created to read:

560.797 **(2)** (br) In making a determination under par. (bg), the department shall consider all of the following:

1. The factors specified in par. (b) 1. to 8.

2. The environmental remediation that is likely to result from the project.

SECTION 3012. 560.797 (2) (d) of the statutes is amended to read:

560.797 **(2)** (d) The department may not designate more than ~~50~~ 79 enterprise development zones unless the department obtains the approval of the joint committee on finance to do so. Of the enterprise development zones that the department designates, at least 10 shall be designated under par. (bg).

SECTION 3013. 560.797 (4) (e) of the statutes is repealed.

SECTION 3015. 560.80 (5) of the statutes is amended to read:

560.80 **(5)** "Eligible recipient" means a person who is eligible to receive a grant under s. 560.82 (5) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or 560.835.

SECTION 3016. 560.81 (2) of the statutes is amended to read:

560.81 **(2)** The board awards a grant or loan to the eligible recipient or local development corporation under ss. 560.83 (1) and 560.84 or to the eligible recipient under ss. 560.835 and 560.84.

SECTION 3017. 560.83 (1) of the statutes is amended to read:

560.83 **(1)** Subject to s. 560.84, the board may award a grant or loan under this ~~section~~ subsection to an eligible recipient or a local development corporation to fund eligible development project costs.

SECTION 3018. 560.83 (2) (intro.) of the statutes is amended to read:

560.83 **(2)** (intro.) The board may award a grant or loan under this ~~section~~ subsection to a local development corporation if all of the following apply:

SECTION 3019. 560.83 (4) (a) of the statutes is amended to read:

560.83 **(4)** (a) In any fiscal biennium, the board may not award, to any one eligible recipient or local development corporation or for any one development project, grants or loans under sub. (1) that total more than $100,000 in a fiscal biennium.

SECTION 3020. 560.83 (5) (intro.) of the statutes is amended to read:

560.83 **(5)** (intro.) ~~The~~ In addition to local development corporations, the board may award grants or loans under sub. (1) only to persons who are any of the following:

SECTION 3020m. 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 3023f. 562.05 (1c) of the statutes is amended to read:

562.05 **(1c)** If the applicant for a license under this section is an individual, the department may not issue or renew a license if the individual has not provided his or her social security number, unless the individual does not have a social security number and the applicant submits a statement made or subscribed under oath or affirmation as required under sub. (1e). If the applicant for a license under this section is not an individual, the department may not issue or renew a license if the person has not pro-

vided the person's federal employer identification number.

SECTION 3023g. 562.05 (1e) of the statutes is created to read:

562.05 **(1e)** If an applicant for a license under this section is an individual who does not have a social security number, the applicant shall submit to the department with his or her application a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of workforce development. A license issued in reliance upon a false statement submitted under this subsection is invalid.

SECTION 3023k. 562.05 (7) (am) 1. of the statutes is amended to read:

562.05 **(7)** (am) 1. The department shall require each person who is subject to an investigation under par. (a) and who is an individual to provide his or her social security number, unless the person is an individual who does not have a social security number and the person submits a statement made or subscribed under oath or affirmation as required under sub. (1e).

Vetoed In Part

SECTION 3023j. 562.065 (4) of the statutes is amended to read:

562.065 **(4)** UNCLAIMED PRIZES. ~~Any~~ A licensee under s. 562.05 (1) (b) may retain any winnings on a race ~~which~~ that are not claimed within 90 days after the end of the period authorized for racing in that year under s. 562.05 (9) ~~shall be paid to the department. The department shall credit moneys received under this subsection to the appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g)~~.

SECTION 3023t. 565.02 (2) (e) of the statutes is created to read:

565.02 **(2)** (e) If requested by a lottery prize winner to provide a certification that lists the amounts of the lottery prize payments, if any, that the administrator is required to withhold under s. 565.30 (4), (5), (5m) and (5r), the administrator shall provide the certification.

SECTION 3024. 565.02 (4) (g) of the statutes is created to read:

565.02 **(4)** (g) Establishing a program to provide for additional compensation, above the compensation provided under s. 565.10 (14) (b) 1. or 2., to be paid to retailers who meet certain performance goals identified by the department. Under this program, the total compensation provided to retailers may not exceed 1.0% of the gross revenues from the sale of lottery tickets and lottery shares.

SECTION 3025. 565.10 (14) (b) 3m. of the statutes is created to read:

565.10 **(14)** (b) 3m. The department may, in rules promulgated under s. 565.02 (4) (g), provide for additional compensation, above the compensation provided under subd. 1. or 2., to be paid to retailers who meet certain performance goals identified by the department.

SECTION 3025g. 565.28 of the statutes is created to read:

565.28 Lottery prize payment option. (1) (a) A person who becomes entitled to receive payment of a lottery prize under s. 565.30 (1) on or after the effective date of this paragraph .... [revisor inserts date], may elect to receive payment of the lottery prize in the form of a lump sum or in instalments over a period of years if the lottery prize is payable over at least 10 years.

(b) A person who chooses to make an election under par. (a) shall make the election no later than 60 days after becoming entitled to the lottery prize. An election made under par. (a) is final and may not be revoked.

(c) If a person eligible to make an election under par. (a) does not make an election within 60 days after becoming entitled to a lottery prize, the administrator shall make payment in the form of an annuity.

(2) (a) A person who became entitled to receive payment of a lottery prize under s. 565.30 (1) on or before October 21, 1998, and who currently receives payment of the lottery prize in the form of an annuity may elect to change the form of payment to a lump sum if the lottery prize is payable over at least 10 years.

(b) A person who chooses to make an election under par. (a) shall make the election no earlier than July 1, 1999, and no later than December 31, 2000. An election made under par. (a) is final and may not be revoked.

SECTION 3025j. 565.30 (1) of the statutes is amended to read:

565.30 **(1)** PAYMENT OF PRIZES. The administrator shall direct the payment of a prize, in the form elected under s. 565.28, if applicable, to the holder of the winning lottery ticket or lottery share or to a person designated under sub. (2), except that a prize may be paid to another person under a court order or to the estate of a deceased prize winner. The department, administrator, state and any contractor for materials, equipment or services of the game in which the prize is won are discharged of all liability upon payment of the prize to the holder of a winning lottery ticket or lottery share.

SECTION 3025m. 565.30 (5) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

565.30 **(5)** WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS OWED THE STATE. The administrator shall report the name, address and social security number of each winner of a lottery prize equal to or greater than $1,000 and the name, address and social security number of each person to whom a lottery prize equal to or greater than $1,000 has been assigned to the department of revenue to determine whether the payee or assignee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court–ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certi-

fications by the department of workforce development or its designee under s. 49.855 (1) whether any person named in the report is currently delinquent in court–ordered payment of child support and shall next certify to the administrator whether any person named in the report is delinquent in court–ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. At the time of remittance, the department of revenue shall charge its administrative expenses to the state agency that has received the remittance. The administrative expenses received by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent both in payments for state taxes and in court–ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee or assignee.

SECTION 3025p. 565.30 (5m) of the statutes is renumbered 565.30 (5m) (a) and amended to read:

565.30 **(5m)** (a) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR FAMILY SUPPORT. The administrator shall report to the department of workforce development the name, address and social security number of each winner of a lottery prize that is payable in instalments and the name, address and social security number or federal income tax number of the person who has been assigned a lottery prize that is payable in instalments. Upon receipt of the report, the department of workforce development shall certify to the administrator whether any payee or assignee named in the report is obligated to provide child support, spousal support, maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize under s. 767.265. ~~The~~ Subject to par. (b), the administrator shall withhold the certified amount from each payment made to the winner or assignee and remit the certified amount to the department of workforce development.

SECTION 3025pa. 565.30 (5m) (a) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

565.30 **(5m)** (a) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR FAMILY SUPPORT. The administrator shall report to the department of workforce development the name, address and social security number of each winner of a lottery prize that is payable in instalments and the name, address and social security number or federal income tax number of the person who has been assigned a lottery prize that is payable in instalments. Upon receipt of the report, the department of workforce development shall certify to the administrator whether any payee or assignee named in the report is obligated to provide child support, spousal support, maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) ~~(a)~~ or 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize under s. 767.265. Subject to par. (b), the administrator shall withhold the certified amount from each payment made to the winner or assignee and remit the certified amount to the department of workforce development.

SECTION 3025pc. 565.30 (5m) (b) of the statutes is created to read:

565.30 **(5m)** (b) The administrator may not withhold from any payment to an assignee of a lottery prize any child support, spousal support, maintenance or family support specified in par. (a) that is owed by a winner of a lottery prize, nor may the administrator withhold from any payment to a winner any child support, spousal support maintenance or family support that is owed by an assignee.

SECTION 3025pf. 565.30 (5r) (a) of the statutes is amended to read:

565.30 **(5r)** (a) Annually, the administrator shall provide each clerk of circuit court in the state with a list of the winners or assignees of a lottery prize that is payable in instalments. The list shall include each winner or assignee since the date of the previous list.

SECTION 3025pg. 565.30 (5r) (b) of the statutes is amended to read:

565.30 **(5r)** (b) ~~If~~ Subject to par. (c), if the administrator receives a notice under s. 973.05 (5) (a) or 778.30 (2) (a) of the assignment of lottery prizes under s. 973.05 (4) (c) or 778.30 (1) (c) and determines that the person subject to the assignment is a winner or assignee of a lottery prize that is payable in instalments, the administrator shall withhold the amount of the judgment that is the basis of the assignment from the next instalment payment. The administrator shall submit the withheld amount to the court that issued the assignment. At the time of the submittal, the administrator shall charge the administrative expenses related to that withholding and submittal to the winner or assignee of the lottery prize and withhold those expenses from the balance of the instalment payment. The administrator shall notify the winner or assignee of the reason that the amount is withheld from the instalment payment. If the initial instalment payment is insufficient to pay the judgment and administrative expenses, the administrator shall withhold and submit to the court an amount from any additional instalment payments until the judgment and administrative expenses are paid in full and the assignment is no longer in effect. The

administrative expenses received by the department shall be credited to the appropriation under s. 20.566 (1) (h).

SECTION 3025ph. 565.30 (5r) (c) of the statutes is created to read:

565.30 **(5r)** (c) The administrator may not withhold from any payment to an assignee of a lottery prize the amount specified in par. (b) that is owed by a winner of a lottery prize, nor may the administrator withhold from any payment to a winner the amount specified in par. (b) that is owed by an assignee.

SECTION 3025pj. 565.30 (5t) of the statutes is amended to read:

565.30 **(5t)** PRIORITY OF WITHHOLDING. (intro.) The administrator shall withhold payments under this section from a winner <u>or assignee</u> of a lottery prize in the following order:

SECTION 3025pL. 565.30 (6) of the statutes is repealed.

SECTION 3025pm. 565.30 (6m) of the statutes is created to read:

565.30 **(6m)** USE OF LOTTERY PRIZE AS SECURITY FOR LOAN. (a) *Definition.* In this subsection, "prize winner" means a person who has won a lottery prize and any other person who is authorized by law to use a lottery prize as security for a loan.

(b) *Security for a loan.* A prize winner may use a lottery prize or part of a lottery prize as security for a loan only pursuant to a court order issued under this subsection.

(c) *Judicial process for using lottery prizes as security for loans.* Any prize winner who intends to use part or all of a lottery prize as security for a loan shall petition the circuit court of the county in which the prize winner resides or the circuit court of Dane County for a court order confirming the use of a lottery prize as security for a loan. The circuit court of the county in which the prize winner resides or the circuit court of Dane County shall issue an order confirming the use of a lottery prize as security for a loan only if all of the following occur:

1. The prize winner is represented by independent legal counsel.

2. A copy of the contract that provides for using any part of the lottery prize as security for the loan is attached to the petition.

3. The contract is executed by the prize winner, is subject to the laws of this state and provides that the prize winner has the right to cancel the contract until midnight of the 3rd business day after the date on which the prize winner entered into the contract.

4. The prize winner attests, by sworn affidavit, that he or she is of sound mind, is not acting under duress and acknowledges that the state will not make any of the lottery prize payments or parts of lottery prize payments to the prize winner that are being used as security for the loan in the event the prize winner defaults on the loan.

5. The prize winner, by sworn affidavit, provides the court with an accounting of all claims to, or judgments, liens, security interests, garnishments, assignments or attachments against, all or any part of the lottery prize payments.

6. The prize winner provides the court a certification from the administrator that lists the amounts of the lottery prize payments, if any, that the administrator is required to withhold for the prize winner under subs. (4), (5), (5m) and (5r).

7. The part of the lottery prize that is being used as security for the loan does not include the amounts of any withholdings specified under subs. (4), (5), (5m) and (5r).

8. The court determines that the interest rate on the loan does not exceed the weekly prime rate for the week prior to the date on which the court received a copy of the contract, as reported by the federal reserve board in federal reserve statistical release H. 15, plus 6%. In making the calculation under this subdivision, the court shall subtract from the compensation received by the individual or organization making the loan any required fees or other costs charged the prize winner.

(d) *Contents of court order.* A court order issued under par. (c) shall include all of the following:

1. The name of the prize winner.

2. The prize winner's social security number if the prize winner is an individual, or federal income tax identification number if the prize winner is an organization.

3. The name of the individual or organization that is making the loan to the prize winner.

4. The social security number of the individual or the federal income tax identification number of the organization that is making the loan to the prize winner.

5. If an individual is making the loan to the prize winner, the citizenship of the individual. If the individual is not a citizen of the United States of America, the order shall include the individual's resident alien number.

(e) *Administration.* Upon receipt of a court order issued under par. (c), the individual or organization making the loan shall provide a certified copy of the court order to the administrator. The administrator shall acknowledge receipt of the court order in writing to the individual or organization making the loan and shall make all lottery prize payments according to the terms specified in the court order. The administrator may charge an initial processing fee, in an amount determined by rule, to cover any costs associated with processing the lottery prize payments in accordance with the terms specified in the court order.

SECTION 3025pp. 565.30 (6r) of the statutes is created to read:

565.30 **(6r)** VOLUNTARY ASSIGNMENT OF LOTTERY PRIZE. (a) *Definition.* In this subsection, "assignor" means a lottery prizewinner or a person who has the right to assign all or part of a lottery prize.

(b) *Voluntary assignment.* An assignor may make a voluntary assignment of a lottery prize or part of a lottery prize only pursuant to a court order issued under this subsection.

(c) *Judicial process for assignment.* Any assignor who intends to voluntarily assign part or all of a lottery prize to any individual or organization shall petition the circuit court of the county in which the assignor resides or the circuit court of Dane County for a court order confirming the assignment. The circuit court of the county in which the assignor resides or the circuit court of Dane County shall issue an order confirming the assignment only if all of the following occur:

1. The assignor is represented by independent legal counsel.

2. A copy of the assignment is attached to the petition.

3. The assignment is in writing, is executed by the assignor and is subject to the laws of this state.

3m. The contract for the assignment provides that the assignor has the right to cancel the contract until midnight of the 3rd business day after the date on which the assignor entered into the contract.

3r. The contract for the assignment provides that the assignor, from the proceeds received from the individual or organization to whom part or all of the lottery prize is assigned, agrees to pay in full any delinquent payments that may be owed by the assignor under subs. (4), (5), (5m) and (5r).

4. The assignor attests, by sworn affidavit, that he or she is of sound mind, is not acting under duress and acknowledges that the state will not make any of the assigned lottery prize payments or parts of lottery prize payments to the assignor.

5. The assignor, by sworn affidavit, provides the court with an accounting of all claims to, or judgments, liens, security interests, garnishments, assignments or attachments against, all or any part of the lottery prize payments.

6. The assignment does not include the amounts of any withholdings specified under sub. (4), (5), (5m) or (5r).

7. The assignor provides the court a certification from the administrator that lists the amounts of the lottery prize payments, if any, that the administrator is required to withhold for the assignor under subs. (4), (5), (5m) and (5r).

8. The payment that the assignor will receive as compensation for the assignment is at least equal to the present value of the assigned lottery prize payments, discounted at a rate no greater than the weekly prime rate for the week prior to the date on which the court received a copy of the assignment, as reported by the federal reserve board in federal reserve statistical release H. 15, plus 6%. In making the calculation under this subdivision, the court shall subtract from the compensation received by the assignor any required fees or other costs charged the assignor.

9. The individual or organization to whom part or all of the lottery prize is assigned specifies in an affidavit that the individual or organization agrees to report and pay any state income or franchise tax that is owed on any income or gain realized from the purchase and subsequent sale or redemption of any lottery prize.

(d) *Contents of court order.* A court order issued under par. (c) shall include all of the following:

1. The name of the prizewinner or the name of the assignor, if different from the prizewinner.

2. The assignor's social security number if the assignor is an individual, or federal income tax identification number if the assignor is an organization.

3. The name of the individual or organization to whom part or all of the lottery prize is assigned.

4. The social security number of the individual or the federal income tax identification number of the organization to whom part or all of the lottery prize is assigned.

5. If part or all of the lottery prize is assigned to an individual, the citizenship of the individual. If the individual is not a citizen of the United States of America, the order shall include the individual's resident alien number.

6. The number of assigned lottery prize payments and the dates on which the assigned lottery prize payments are to be paid.

7. The gross amount of each of the lottery prize payments that are subject to withholding for tax purposes and that are assigned.

(e) *Administration of lottery prize assignment.* Upon receipt of a court order issued under par. (c), the individual or organization to whom the lottery prize is assigned shall provide a certified copy of the court order to the administrator. The administrator shall acknowledge receipt of the court order in writing to the individual or organization to whom the lottery prize is assigned and shall make all lottery prize payments according to the terms specified in the court order. The administrator may charge an initial processing fee, in an amount determined by rule, to cover any costs associated with processing the lottery prize payments in accordance with the terms specified in the court order.

SECTION 3025w. 565.45 of the statutes is amended to read:

565.45 Report on expense limitation. Before January 1, ~~1992~~ 2002, and every 2 years thereafter, the department shall submit a report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), on the effects on the operation of the lottery of the 10% expense limitation under s. 25.75 (3) (b).

SECTION 3025t. 569.01 (1j) of the statutes is created to read:

569.01 **(1j)** "Indian gaming facility" means a facility at which Indian gaming is conducted under an Indian gaming compact.

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 3026h. 569.01 (4) of the statutes is created to read:

569.01 **(4)** "Net win" means the amount wagered at an Indian gaming facility, less the amount paid out in winnings at the Indian gaming facility.

SECTION 3026p. 569.02 (5) of the statutes is created to read:

569.02 **(5)** On March 1 annually, for each payment of Indian gaming receipts, as described under s. 569.01 (1m) (d), received by the state from an Indian tribe in the prior calendar year, determine the amount to be transferred under s. 20.505 (8) (hm) to the appropriation account under s. 20.835 (2) (ka) by doing all of the following:

(a) Dividing the net win in the prior calendar year at all of the Indian tribe's Indian gaming facilities at which pari–mutuel racing is conducted and at which pari–mutuel racing under ch. 562 was conducted on the effective date of this paragraph .... [revisor inserts date], by the net win in the prior calendar year at all of the Indian tribe's Indian gaming facilities.

(b) Multiplying the number calculated under par. (a) by the amount of Indian gaming receipts, as described under s. 569.01 (1m) (d), received by the state from the Indian tribe in the prior calendar year.

SECTION 3027. 569.06 of the statutes is amended to read:

569.06 Indian gaming receipts. Indian gaming receipts shall be credited to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

SECTION 3027r. 600.01 (1) (b) 8. of the statutes is amended to read:

600.01 **(1)** (b) 8. Guarantees of the Wisconsin Housing and Economic Development Authority under s. 234.68, 1995 stats., s. 234.69, 1995 stats., s. 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.87, 1995 stats., and ss. 234.67, 234.83, 234.84, ~~234.88,~~ 234.90, 234.905, 234.907 and 234.91.

SECTION 3028. 600.01 (1) (b) 10. of the statutes is created to read:

600.01 **(1)** (b) 10. a. Except as provided in subd. 10. b., long–term care services funded by the family care benefit, as defined in s. 46.2805 (4), that are provided by a care management organization that contracts with the department of health and family services under s. 46.284 and enrolls only individuals who are eligible under s. 46.286.

b. The exemption under subd. 10. a. does not apply if the services offered by the care management organization include hospital, physician or other acute health care services.

SECTION 3029. 601.31 (1) (k) 6. of the statutes is created to read:

601.31 **(1)** (k) 6. Domestic mutual insurance holding companies, $100.

SECTION 3030. 601.31 (1) (L) 1. of the statutes is repealed.

SECTION 3031. 601.31 (1) (m) (intro.) of the statutes is renumbered 601.31 (1) (m) and amended to read:

601.31 **(1)** (m) For regulating resident intermediaries and nonresident intermediaries, annually after the year in which the initial license is issued, amounts to be set by the commissioner by rule and paid at times and under procedures set by the commissioner~~, but not to exceed:~~.

SECTION 3032. 601.31 (1) (m) 1. of the statutes is repealed.

SECTION 3033. 601.31 (1) (m) 2. of the statutes is repealed.

SECTION 3034. 601.31 (1) (m) 3. of the statutes is renumbered 601.31 (1) (mc) and amended to read:

601.31 **(1)** (mc) ~~Holder~~ For regulating a holder of a license to place business under s. 618.41, annually after the year in which the initial license is issued, an amount to be set by the commissioner by rule and paid at times and under procedures set by the commissioner, but not to exceed $100.

SECTION 3035. 601.31 (1) (o) of the statutes is amended to read:

601.31 **(1)** (o) For examination of an applicant for a license as an insurance intermediary, an amount to be set by the commissioner by rule ~~but not to exceed $50 and not to exceed the reasonably estimated average cost of the examination and investigation of an intermediary~~.

SECTION 3035c. 609.05 (2) of the statutes is amended to read:

609.05 **(2)** Subject to s. 609.22 (4) and (4m), a limited service health organization, preferred provider plan or managed care plan may require an enrollee to designate a primary provider and to obtain health care services from the primary provider when reasonably possible.

SECTION 3035f. 609.05 (3) of the statutes is amended to read:

609.05 **(3)** Except as provided in ss. 609.22 (4m), 609.65 and 609.655, a limited service health organization, preferred provider plan or managed care plan may require an enrollee to obtain a referral from the primary provider designated under sub. (2) to another participating provider prior to obtaining health care services from that participating provider.

SECTION 3036c. 609.10 (title) of the statutes is amended to read:

609.10 (title) **Standard plan and point–of–service option plan required.**

SECTION 3036d. 609.10 (1) (a) of the statutes is renumbered 609.10 (1) (am) and amended to read:

609.10 **(1)** (am) Except as provided in subs. (2) to (4), an employer that offers any of its employes a health maintenance organization or a preferred provider plan that provides comprehensive health care services shall also offer the employes a standard plan~~, as provided in pars. (b) and (c),~~ that provides at least substantially equivalent coverage of health care expenses and a point–of–service option plan, as provided in pars. (b) and (c).

SECTION 3036e. 609.10 (1) (ac) of the statutes is created to read:

609.10 **(1)** (ac) In this section, "point–of–service option plan" means a health maintenance organization or preferred provider plan that permits an enrollee to obtain covered health care services from a provider that is not a participating provider of the health maintenance organization or preferred provider plan under all of the following conditions:

1. The nonparticipating provider holds a license or certificate that authorizes or qualifies the provider to provide the health care services.

2. The health maintenance organization or preferred provider plan is required to pay the nonparticipating provider only the amount that the health maintenance organization or preferred provider plan would pay a participating provider for those health care services.

3. The enrollee is responsible for any additional costs or charges related to the coverage.

SECTION 3036f. 609.10 (1) (b) of the statutes is amended to read:

609.10 **(1)** (b) At least once annually, the employer shall provide the employes the opportunity to enroll in the health care plans under par. ~~(a)~~ (am).

SECTION 3036g. 609.10 (1) (c) of the statutes is amended to read:

609.10 **(1)** (c) The employer shall provide the employes adequate notice of the opportunity to enroll in the health care plans under par. ~~(a)~~ (am) and shall provide the employes complete and understandable information concerning the differences ~~between~~ among the health maintenance organization or preferred provider plan ~~and~~, the standard plan and the point–of–service option plan.

SECTION 3036h. 609.10 (2) of the statutes is amended to read:

609.10 **(2)** If, after providing an opportunity to enroll under sub. (1) (b) and the notice and information under sub. (1) (c), fewer than 25 employes indicate that they wish to enroll in either the standard plan or the point–of–service option plan under sub. (1) ~~(a)~~ (am), the employer need not offer ~~the standard~~ that plan on that occasion.

Vetoed In Part

SECTION 3036i. 609.10 (3) of the statutes is renumbered 609.10 (3) (intro.) and amended to read:

Vetoed In Part

609.10 **(3)** (intro.) Subsection (1) does not apply to an employer that ~~employs~~ does any of the following:

(a) Employs fewer than 25 full–time employes.

SECTION 3036j. 609.10 (3) (b) of the statutes is created to read:

609.10 **(3)** (b) Offers its employes a health maintenance organization or a preferred provider plan only through an insurer that is a cooperative association organized under ss. 185.981 to 185.985 or only through an insurer that is restricted under s. 609.03 (3).

SECTION 3036k. 609.10 (6) of the statutes is created to read:

609.10 **(6)** The commissioner shall promulgate rules necessary for the administration of the requirement to offer point–of–service option plans under sub. (1) (am).

SECTION 3036n. 609.20 (3) of the statutes is amended to read:

609.20 **(3)** To define substantially equivalent coverage of health care expenses for purposes of s. 609.10 (1) ~~(a)~~ (am).

SECTION 3036p. 609.20 (4) of the statutes is amended to read:

609.20 **(4)** To ensure that employes offered a health maintenance organization or a preferred provider plan that provides comprehensive services under s. 609.10 (1) ~~(a)~~ (am) are given adequate notice of the opportunity to enroll, as well as complete and understandable information under s. 609.10 (1) (c) concerning the differences ~~between~~ among the health maintenance organization or preferred provider plan ~~and~~, the standard plan and the point–of–service option plan, as defined in s. 609.10 (1) (ac), including differences ~~between~~ among providers available and differences resulting from special limitations or requirements imposed by an institutional provider because of its affiliation with a religious organization.

SECTION 3036r. 609.22 (4m) of the statutes is created to read:

609.22 **(4m)** OBSTETRIC AND GYNECOLOGIC SERVICES. (a) A managed care plan that provides coverage of obstetric or gynecologic services may not require a female enrollee of the managed care plan to obtain a referral for covered obstetric or gynecologic benefits provided by a participating provider who is a physician licensed under ch. 448 and who specializes in obstetrics and gynecology, regardless of whether the participating provider is the enrollee's primary provider. Notwithstanding sub. (4), the managed care plan may not require the enrollee to obtain a standing referral under the procedure established under sub. (4) (a) for covered obstetric or gynecologic benefits.

(b) A managed care plan under par. (a) may not do any of the following:

1. Penalize or restrict the coverage of a female enrollee on account of her having obtained obstetric or

gynecologic services in the manner provided under par. (a).

2. Penalize or restrict the contract of a participating provider on account of his or her having provided obstetric or gynecologic services in the manner provided under par. (a).

(c) A managed care plan under par. (a) shall provide written notice of the requirement under par. (a) in every policy or group certificate issued by the managed care plan and during each open enrollment period.

Vetoed In Part

SECTION 3036s. 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 3037c. 628.095 (1) of the statutes is amended to read:

628.095 **(1)** REQUIRED ON APPLICATIONS. An application for a license issued under this subchapter shall contain the applicant's social security number, if the applicant is a natural person unless the applicant does not have a social security number, or the applicant's federal employer identification number, if the applicant is not a natural person.

SECTION 3037d. 628.095 (2) of the statutes is amended to read:

628.095 **(2)** REFUSAL TO ISSUE LICENSE. The commissioner may not issue a license, including a temporary license, under this subchapter unless the applicant provides his or her social security number, if the applicant is a natural person unless the applicant does not have a social security number, or provides the applicant's federal tax identification number, if the applicant is not a natural person.

SECTION 3037e. 628.095 (3) of the statutes is amended to read:

628.095 **(3)** REQUIRED WHEN ANNUAL FEE PAID. At the time that the annual fee is paid under s. 601.31 (1) (m), an intermediary who is a natural person shall provide his or her social security number unless the intermediary does not have a social security number, and an intermediary that is not a natural person shall provide its federal employer identification number, if the social security number or federal employer identification number was not provided on the application for the license or previously when the annual fee was paid.

SECTION 3037g. 628.095 (5) of the statutes is created to read:

628.095 **(5)** IF APPLICANT OR INTERMEDIARY HAS NO SOCIAL SECURITY NUMBER. If an applicant who is a natural person does not have a social security number, the applicant shall provide to the commissioner, along with the application for a license and on a form prescribed by the department of workforce development, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. If an intermediary who is a natural person does not have a social security number, the intermediary shall provide to the commissioner, each time that the annual fee is paid under s. 601.31 (1) (m) and on a form prescribed by the department of workforce development, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3037j. 628.10 (2) (cr) of the statutes is created to read:

628.10 **(2)** (cr) *For providing false information in statement.* The commissioner shall revoke the license of an intermediary, including a temporary license under s. 628.09, if the commissioner determines, after a hearing, that the intermediary provided false information in a statement provided under s. 628.095 (5) with the intermediary's application or at the time that the annual fee was paid under s. 601.31 (1) (m).

SECTION 3037k. 628.10 (2) (d) of the statutes is amended to read:

628.10 **(2)** (d) *For failure to provide social security ~~or~~ number, federal employer identification number or statement.* If an intermediary fails to provide a social security number or federal employer identification number as required under s. 628.095 (3) or a statement as required under s. 628.095 (5), the commissioner shall suspend or limit the license of the intermediary, effective the day following the last day on which the annual fee under s. 601.31 (1) (m) may be paid, if the commissioner has given the intermediary reasonable notice of when the fee must be paid to avoid suspension or limitation. If the intermediary provides the social security number ~~or~~, federal employer identification number or statement within 60 days from the effective date of the suspension, the commissioner shall reinstate the intermediary's license effective as of the date of suspension.

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 3043c. 632.68 (2) (b) (intro.) of the statutes is amended to read:

632.68 **(2)** (b) (intro.) A person may apply to the commissioner for a viatical settlement provider license on a form prescribed by the commissioner for that purpose. The application form shall require the applicant to provide the applicant's social security number, if the applicant is a natural person unless the applicant does not have a social security number, or the applicant's federal employer identification number, if the applicant is not a natural person. The fee specified in s. 601.31 (1) (mm) shall accompany the application. After any investigation of the applicant that the commissioner determines is sufficient, the commissioner shall issue a viatical settlement provider license to an applicant that satisfies all of the following:

SECTION 3043d. 632.68 (2) (b) 2. of the statutes is amended to read:

632.68 **(2)** (b) 2. Provides complete information on the application, including the applicant's social security number, unless the applicant does not have a social security number, or federal employer identification number.

SECTION 3043e. 632.68 (2) (b) 3m. of the statutes is created to read:

632.68 **(2)** (b) 3m. If a natural person who does not have a social security number, provides on a form prescribed by the department of workforce development a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3043f. 632.68 (2) (e) of the statutes is amended to read:

632.68 **(2)** (e) Except as provided in sub. (3), a license issued under this subsection shall be renewed annually on the anniversary date upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing the licensee's social security number, unless the licensee does not have a social security number, or federal employer identification number, as applicable, if not previously provided on the application for the license or at a previous renewal of the license. If the licensee is a natural person who does not have a social security number, the license shall be renewed annually on the anniversary date upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing to the commissioner a statement made or subscribed under oath or affirmation, on a form prescribed by the department of workforce development, that the licensee does not have a social security number.

SECTION 3043g. 632.68 (3) (b) 3. of the statutes is created to read:

632.68 **(3)** (b) 3. The commissioner shall revoke a viatical settlement provider license if the commissioner determines, after a hearing, that the licensee provided false information in a statement provided under sub. (2) (b) 3m. or (e).

SECTION 3043h. 632.68 (4) (b) of the statutes is amended to read:

632.68 **(4)** (b) A person may apply to the commissioner for a viatical settlement broker license on a form prescribed by the commissioner for that purpose. The application form shall require the applicant to provide the applicant's social security number, if the applicant is a natural person unless the applicant does not have a social security number, or the applicant's federal employer identification number, if the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall accompany the application. The commissioner may not issue a license under this subsection unless the applicant provides his or her social security number, unless the applicant does not have a social security number, or its federal employer identification number, whichever is applicable. If the applicant is a natural person who does not have a social security number, the commissioner may not issue a license under this subsection unless the applicant provides, on a form prescribed by the department of work-

force development, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3043i. 632.68 (4) (c) of the statutes is amended to read:

632.68 **(4)** (c) Except as provided in sub. (5), a license issued under this subsection shall be renewed annually on the anniversary date upon payment of the fee specified in s. 601.31 (1) (ms) and upon providing the licensee's social security number, unless the licensee does not have a social security number, or federal employer identification number, as applicable, if not previously provided on the application for the license or at a previous renewal of the license. If the licensee is a natural person who does not have a social security number, the license shall be renewed annually, except as provided in sub. (5), on the anniversary date upon payment of the fee specified in s. 601.31 (1) (ms) and upon providing to the commissioner a statement made or subscribed under oath or affirmation, on a form prescribed by the department of workforce development, that the licensee does not have a social security number.

SECTION 3043j. 632.68 (5) (b) 3. of the statutes is created to read:

632.68 **(5)** (b) 3. The commissioner shall revoke a viatical settlement broker license if the commissioner determines, after a hearing, that the licensee provided false information in a statement submitted under sub. (4) (b) or (c).

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 3044b. 632.89 (2) (a) 2. of the statutes is amended to read:

632.89 **(2)** (a) 2. Except as provided in pars. (b) to (e), coverage of conditions under subd. 1. by a policy may be subject to exclusions or limitations, including deductibles and copayments, that are generally applicable to other conditions covered under the policy.

SECTION 3044c. 632.89 (2) (b) 1. of the statutes is amended to read:

632.89 **(2)** (b) 1. Except as provided in subd. 2., if a group or blanket disability insurance policy issued by an insurer provides coverage of inpatient hospital treatment or outpatient treatment or both, the policy shall provide coverage in every policy year as provided in pars. (c) to (dm), as appropriate, except that the total coverage under the policy for a policy year need not exceed $7,000 or~~, if the coverage is provided by a health maintenance organization, as defined in s. 609.01 (2),~~ the equivalent benefits measured in services rendered.

SECTION 3044e. 632.89 (2) (c) 2. b. of the statutes is amended to read:

632.89 **(2)** (c) 2. b. Seven thousand dollars minus ~~a copayment of up to 10%~~ any applicable cost sharing at the level charged under the policy for inpatient hospital services ~~or, if the coverage is provided by a health maintenance organization, as defined in s. 609.01 (2), $6,300~~ or the equivalent benefits measured in services rendered or, if the policy does not use cost sharing, $6,300 in equivalent benefits measured in services rendered.

SECTION 3044ht. 632.89 (2) (d) 2. of the statutes is amended to read:

632.89 **(2)** (d) 2. Except as provided in par. (b), a policy under subd. 1. shall provide coverage in every policy year for not less than $2,000 minus ~~a copayment of up to 10%~~ any applicable cost sharing at the level charged under the policy for outpatient services ~~or, if the coverage is provided by a health maintenance organization, as defined in s. 609.01 (2), $1,800~~ or the equivalent benefits measured in services rendered or, if the policy does not use cost sharing, $1,800 in equivalent benefits measured in services rendered.

SECTION 3044i. 632.89 (2) (dm) 2. of the statutes is amended to read:

632.89 **(2)** (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall provide coverage in every policy year for not less than $3,000 minus ~~a copayment of up to 10%~~ any applicable cost sharing at the level charged under the policy for transitional treatment arrangements ~~or, if the coverage is provided by a health maintenance organization, as defined in s. 609.01 (2), $2,700~~ or the equivalent benefits measured in services rendered or, if the policy does not use cost sharing, $2,700 in equivalent benefits measured in services rendered.

SECTION 3044j. 632.896 (1) (c) 1. of the statutes is amended to read: **Vetoed In Part**

632.896 **(1)** (c) 1. The department, a county department under s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 places a child in the insured's home for adoption and enters into an agreement under s. 48.833 (4) with the insured.

SECTION 3044L. 632.897 (10) (a) 3. of the statutes is amended to read:

632.897 **(10)** (a) 3. The fact that the group member or insured does not claim the child as an exemption for federal income tax purposes under 26 USC 151 (c) (1) (B), or as an exemption for state income tax purposes under s. 71.07 (8) (b) or under the laws of another state, if a court order under s. 767.25 (4m)~~, 767.51 (3m) or 767.62 (4) (b)~~ or the laws of another state assigns responsibility for the child's health care expenses to the group member or insured.

SECTION 3044Lj. 633.14 (1) (d) of the statutes is amended to read:

633.14 **(1)** (d) Provides his or her social security number, unless the individual does not have a social security number.

SECTION 3044Lk. 633.14 (1) (e) of the statutes is created to read:

633.14 **(1)** (e) If an individual who does not have a social security number, provides on a form prescribed by the department of workforce development a statement made or subscribed under oath or affirmation that he or she does not have a social security number.

SECTION 3044LL. 633.15 (1m) of the statutes is amended to read:

633.15 **(1m)** SOCIAL SECURITY ~~OR~~ NUMBER, FEDERAL EMPLOYER IDENTIFICATION NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or her social security number, if the administrator is an individual unless he or she does not have a social security number, or its federal employer identification number, if the administrator is a corporation, limited liability company or partnership, if the social security number or federal employer identification number was not previously provided on the application for the license or at a previous renewal of the license. If an administrator who is an individual does not have a social security number, the individual shall provide to the commissioner, at each annual renewal and on a form prescribed by the department of workforce development, a statement made or subscribed under oath or affirmation that the administrator does not have a social security number.

SECTION 3044m. 633.15 (2) (a) 1. of the statutes is amended to read:

633.15 **(2)** (a) 1. If an administrator fails to pay the annual renewal fee as provided under sub. (1) or fails to provide a social security number ~~or~~, federal employer identification number or statement made or subscribed under oath or affirmation as required under sub. (1m), the commissioner shall suspend the administrator's license effective the day following the last day when the annual renewal fee may be paid, if the commissioner has given the administrator reasonable notice of when the fee must be paid to avoid suspension.

SECTION 3044n. 633.15 (2) (a) 2. of the statutes is amended to read:

633.15 **(2)** (a) 2. If, within 60 days from the effective date of suspension under subd. 1., an administrator pays the annual renewal fee or provides the social security number ~~or~~, federal employer identification number or statement made or subscribed under oath or affirmation, or both if the suspension was based upon a failure to do both, the commissioner shall reinstate the administrator's license effective as of the date of suspension.

SECTION 3044no. 633.15 (2) (a) 3. of the statutes is amended to read:

633.15 **(2)** (a) 3. If payment is not made or the social security number ~~or~~, federal employer identification number or statement made or subscribed under oath or affirmation is not provided within 60 days from the effective date of suspension under subd. 1., the commissioner shall revoke the administrator's license.

SECTION 3044p. 633.15 (2) (b) 1. (intro.) of the statutes is amended to read:

633.15 **(2)** (b) 1. (intro.) Except as provided in pars. (c) ~~and (d)~~ to (e), the commissioner may revoke, suspend or limit the license of an administrator after a hearing if the commissioner makes any of the following findings:

SECTION 3044q. 633.15 (2) (e) of the statutes is created to read:

633.15 **(2)** (e) *For providing false information in statement.* The commissioner shall revoke a license issued under s. 633.14 (1) if the commissioner determines, after a hearing, that the licensee provided false information in a statement provided under sub. (1m) or s. 633.14 (1) (e).

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 3049sm. 707.46 (3) of the statutes is created to read:

707.46 **(3)** RECORDING. A contract for the purchase of a time–share and any other instrument that is evidence of a purchase of a time–share is valid only if it is recorded.

SECTION 3049p. 751.15 (2) of the statutes is amended to read:

751.15 **(2)** The supreme court is requested to promulgate rules that require each person who has a social security number, as a condition of membership in the state bar, to provide the board of bar examiners with his or her social security number, that require each person who does not have a social security number, as a condition of membership in the state bar, to provide the board of bar examiners with a statement made or subscribed under oath or affirmation on a form prescribed by the department of workforce development that the person does not have a social security number, and that prohibit the disclosure of that number to any person except the department of workforce development for the purpose of administering s. 49.22.

SECTION 3049r. 751.15 (3) of the statutes is amended to read:

751.15 **(3)** The supreme court is requested to promulgate rules that deny, suspend, restrict or refuse to renew a license to practice law if the applicant or licensee fails to provide the information required under rules promulgated under sub. (2) or fails 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 or if the department of workforce development certifies that the applicant or licensee has failed 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. The supreme court is also requested to promulgate rules that invalidate a license to practice law if issued in reliance upon a statement made or subscribed under oath or affirmation under rules promulgated under sub. (2) that is false.

SECTION 3049m. 753.06 (8) (g) of the statutes is amended to read:

753.06 **(8)** (g) Waupaca County. The circuit has 2 branches. Commencing August 1, 2000, the circuit has 3 branches.

SECTION 3050m. 757.05 (title) of the statutes is created to read:

757.05 (title) **Penalty assessment.**

SECTION 3050n. 757.05 (2) (title) of the statutes is created to read:

757.05 **(2)** (title) USE OF PENALTY ASSESSMENT MONEYS.

SECTION 3050o. 757.05 (2) (b) of the statutes is created to read:

757.05 **(2)** (b) *Other purposes.* The moneys collected from penalty assessments under sub. (1) that remain after crediting the appropriation account specified in par. (a) shall be credited to the appropriation account under s. 20.505 (6) (j) and transferred as provided under s. 20.505 (6) (j).

SECTION 3050p. 758.19 (4) of the statutes is amended to read:

758.19 **(4)** The director of state courts may develop, promote, coordinate and implement circuit court automated information systems that are compatible among counties using the moneys appropriated under s. 20.680 (2) (j) and (kp). If the director of state courts provides funding to counties as part of the development and implementation of this system, the director of state courts may provide funding to counties with 1 or 2 circuit court judges for a minicomputer system only up to the level of funding that would have been provided had the county implemented a microcomputer system. In those counties with 1 or 2 circuit court judges, any costs incurred to implement a minicomputer system not funded under this subsection shall be paid by the county. Those counties may use that minicomputer system for county management information needs in addition to the circuit court automated information system use.

SECTION 3050q. 758.19 (4) of the statutes, as affected by 1999 Wisconsin Act .... (this act), is amended to read:

758.19 **(4)** The director of state courts may develop, promote, coordinate and implement circuit court automated information systems that are compatible among counties using the moneys appropriated under s. 20.680 (2) (j) ~~and (kp)~~. If the director of state courts provides funding to counties as part of the development and implementation of this system, the director of state courts may provide funding to counties with 1 or 2 circuit court judges for a minicomputer system only up to the level of funding that would have been provided had the county implemented a microcomputer system. In those counties with 1 or 2 circuit court judges, any costs incurred to

implement a minicomputer system not funded under this subsection shall be paid by the county. Those counties may use that minicomputer system for county management information needs in addition to the circuit court automated information system use.

SECTION 3051m. 758.19 (5) (b) (intro.) of the statutes is amended to read:

758.19 **(5)** (b) (intro.) From the appropriation under s. 20.625 (1) (d), the director of state courts shall make payments to counties totaling ~~$3,443,950 on July 29, 1995, totaling $8,294,050 on January 1, 1996, and totaling $8,244,800~~ $9,369,800 within 30 days after the effective date of this paragraph .... [revisor inserts date], and on every July 1 and January 1 thereafter, which the director of state courts shall distribute as follows:

SECTION 3051mp. 758.19 (5) (b) 1. of the statutes is amended to read:

758.19 **(5)** (b) 1. For each circuit court branch in the county, ~~$32,900~~ $42,275.

SECTION 3051n. 767.045 (1) (a) 2. of the statutes is amended to read:

767.045 **(1)** (a) 2. ~~The~~ Except as provided in par. (am), the legal custody or physical placement of the child is contested.

SECTION 3051no. 767.045 (1) (am) of the statutes is created to read:

767.045 **(1)** (am) The court is not required to appoint a guardian ad litem under par. (a) 2. if all of the following apply:

1. Legal custody or physical placement is contested in an action to modify legal custody or physical placement under s. 767.325 or 767.327.

2. The modification sought would not substantially alter the amount of time that a parent may spend with his or her child.

3. The court determines any of the following:

a. That the appointment of a guardian ad litem will not assist the court in the determination regarding legal custody or physical placement because the facts or circumstances of the case make the likely determination clear.

b. That a party seeks the appointment of a guardian ad litem solely for a tactical purpose, or for the sole purpose of delay, and not for a purpose that is in the best interest of the child.

SECTION 3051p. 767.045 (1) (e) of the statutes is created to read:

767.045 **(1)** (e) Nothing in this subsection prohibits the court from making a temporary order under s. 767.23 that concerns the child before a guardian ad litem is appointed or before the guardian ad litem has made a recommendation to the court, if the court determines that the temporary order is in the best interest of the child.

SECTION 3051q. 767.045 (4m) of the statutes is created to read:

767.045 **(4m)** STATUS HEARING. (a) Subject to par. (b), at any time after 120 days after a guardian ad litem is appointed under this section, a party may request that the court schedule a status hearing related to the actions taken and work performed by the guardian ad litem in the matter.

(b) A party may, not sooner than 120 days after a status hearing under this subsection is held, request that the court schedule another status hearing on the actions taken and work performed by the guardian ad litem in the matter.

SECTION 3051r. 767.078 (1) (a) 1. of the statutes is amended to read:

767.078 **(1)** (a) 1. Is an action for modification of a child support order under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~.

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 3054c. 767.078 (2) of the statutes is amended to read:

767.078 **(2)** Subsection (1) does not limit the authority of a court to issue an order, other than an order under sub. (1), regarding employment of a parent in an action for modification of a child support order under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~.

SECTION 3054cd. 767.11 (12) (b) of the statutes is amended to read:

767.11 **(12)** (b) If after mediation under this section the parties do not reach agreement on legal custody or periods of physical placement, the parties or the mediator shall so notify the court. ~~The~~ Except as provided in s. 767.045 (1) (am), the court shall promptly appoint a guardian ad litem under s. 767.045. ~~After the appointment~~ Regardless of whether the court appoints a guardian ad litem, the court shall, if appropriate, refer the matter for a legal custody or physical placement study under sub. (14). If the parties come to agreement on legal custody or physical placement after the matter has been referred for a study, the study shall be terminated. The parties may return to mediation at any time before any trial of or final hearing on legal custody or periods of

physical placement. If the parties return to mediation, the county shall collect any applicable fee under s. 814.615.

SECTION 3054ce. 767.115 (title) of the statutes is amended to read:

767.115 (title) **Educational ~~program in action~~ programs and classes in actions affecting the family.**

SECTION 3054cf. 767.115 (4) of the statutes is created to read:

767.115 **(4)** (a) At any time during the pendency of a divorce or paternity action, the court or family court commissioner may order the parties to attend a class that is approved by the court or family court commissioner and that addresses such issues as child development, family dynamics, how parental separation affects a child's development and what parents can do to make raising a child in a separated situation less stressful for the child.

(b) The court or family court commissioner may not require the parties to attend a class under this subsection as a condition to the granting of the final judgment or order in the divorce or paternity action, however, the court or family court commissioner may refuse to hear a custody or physical placement motion of a party who refuses to attend a class ordered under this subsection.

(c) 1. Except as provided in subd. 2., the parties shall be responsible for any cost of attending the class.

2. If the court or family court commissioner finds that a party is indigent, any costs that would be the responsibility of that party shall be paid by the county.

SECTION 3054cg. 767.23 (1) (a) of the statutes is amended to read:

Vetoed In Part

767.23 **(1)** (a) ~~Upon~~ Subject to s. 767.477, upon request of one party, granting legal custody of the minor children to the parties jointly, to one party solely or to a relative or agency specified under s. 767.24 (3)~~. The~~, in a manner consistent with s. 767.24, except that the court or family court commissioner may order ~~joint~~ sole legal custody without the agreement of the other party and without the findings required under s. 767.24 (2) (b) 2. This order may not have a binding effect on a final custody determination.

SECTION 3054ch. 767.23 (1) (am) of the statutes is amended to read:

Vetoed In Part

767.23 **(1)** (am) ~~Upon~~ Subject to s. 767.477, upon the request of a party, granting periods of physical placement to a party in a manner consistent with s. 767.24. The court or family court commissioner shall make a determination under this paragraph within 30 days after the request for a temporary order regarding periods of physical placement is filed.

SECTION 3054ci. 767.23 (1) (c) of the statutes is amended to read:

767.23 **(1)** (c) ~~Requiring~~ Subject to s. 767.477, requiring either party or both parties to make payments for the support of minor children, which payment amounts may be expressed as a percentage of parental income or as a fixed sum, or as a combination of both in the alternative by requiring payment of the greater or lesser of either a percentage of parental income or a fixed sum.

SECTION 3054cj. 767.23 (1) (k) of the statutes is amended to read:

767.23 **(1)** (k) ~~Requiring~~ Subject to s. 767.477, requiring either party or both parties to maintain minor children as beneficiaries on a health insurance policy or plan.

SECTION 3054ck. 767.23 (1n) of the statutes is amended to read:

767.23 **(1n)** Before making any temporary order under sub. (1), the court or family court commissioner shall consider those factors ~~which~~ that the court is required by this chapter to consider before entering a final judgment on the same subject matter. In making a determination under sub. (1) (a) or (am), the court or family court commissioner shall consider the factors under s. 767.24 (5). If the court or family court commissioner makes a temporary child support order that deviates from the amount of support that would be required by using the percentage standard established by the department under s. 49.22 (9), the court or family court commissioner shall comply with the requirements of s. 767.25 (1n). A temporary order under sub. (1) may be based upon the written stipulation of the parties, subject to the approval of the court or the family court commissioner. Temporary orders made by the family court commissioner may be reviewed by the court as provided in s. 767.13 (6).

SECTION 3054cL. 767.24 (1) of the statutes is amended to read:

767.24 **(1)** GENERAL PROVISIONS. In rendering a judgment of annulment, divorce ~~or~~, legal separation or paternity, or in rendering a judgment in an action under s. 767.02 (1) (e) or 767.62 (3), the court shall make such provisions as it deems just and reasonable concerning the legal custody and physical placement of any minor child of the parties, as provided in this section.

SECTION 3054cm. 767.24 (1m) of the statutes is created to read:

767.24 **(1m)** PARENTING PLAN. In an action for annulment, divorce or legal separation, an action to determine paternity or an action under s. 767.02 (1) (e) or 767.62 (3) in which legal custody or physical placement is contested, a party seeking sole or joint legal custody or periods of physical placement shall file a parenting plan with the court before any pretrial conference. Except for cause shown, a party required to file a parenting plan under this subsection who does not timely file a parenting plan waives the right to object to the other party's parenting plan. A parenting plan shall provide information about the following questions:

(a) What legal custody or physical placement the parent is seeking.

(b) Where the parent lives currently and where the parent intends to live during the next 2 years. If there is

evidence that the other parent engaged in interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a), with respect to the parent providing the parenting plan, the parent providing the parenting plan is not required to disclose the specific address but only a general description of where he or she currently lives and intends to live during the next 2 years.

(c) Where the parent works and the hours of employment. If there is evidence that the other parent engaged in interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a), with respect to the parent providing the parenting plan, the parent providing the parenting plan is not required to disclose the specific address but only a general description of where he or she works.

(d) Who will provide any necessary child care when the parent cannot and who will pay for the child care.

(e) Where the child will go to school.

(f) What doctor or health care facility will provide medical care for the child.

(g) How the child's medical expenses will be paid.

(h) What the child's religious commitment will be, if any.

(i) Who will make decisions about the child's education, medical care, choice of child care providers and extracurricular activities.

(j) How the holidays will be divided.

(k) What the child's summer schedule will be.

(L) Whether and how the child will be able to contact the other parent when the child has physical placement with the parent providing the parenting plan.

(m) How the parent proposes to resolve disagreements related to matters over which the court orders joint decision making.

(n) What child support, family support, maintenance or other income transfer there will be.

(o) If there is evidence that either party engaged in interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a), with respect to the other party, how the child will be transferred between the parties for the exercise of physical placement to ensure the safety of the child and the parties.

SECTION 3054cn. 767.24 (2) (a) of the statutes is amended to read:

767.24 **(2)** (a) Subject to ~~par. (b)~~ pars. (am), (b) and (c), based on the best interest of the child and after considering the factors under sub. (5), the court may give joint legal custody or sole legal custody of a minor child.

SECTION 3054co. 767.24 (2) (am) of the statutes is created to read:

767.24 **(2)** (am) The court shall presume that joint legal custody is in the best interest of the child.

SECTION 3054cp. 767.24 (2) (b) of the statutes is amended to read:

767.24 **(2)** (b) The court may give ~~joint~~ sole legal custody only if it finds that doing so is in the child's best interest and that either of the following applies:

1. Both parties agree to ~~joint~~ sole legal custody with the same party.

2. The parties do not agree to ~~joint~~ sole legal custody with the same party, but at least one party requests ~~joint~~ sole legal custody and the court specifically finds ~~all~~ any of the following:

a. ~~Both parties are~~ One party is not capable of performing parental duties and responsibilities ~~and~~ or does not wish to have an active role in raising the child.

b. ~~No~~ One or more conditions exist at that time ~~which~~ that would substantially interfere with the exercise of joint legal custody.

c. The parties will not be able to cooperate in the future decision making required under an award of joint legal custody. In making this finding the court shall consider, along with any other pertinent items, any reasons offered by a party objecting to joint legal custody. Evidence that either party engaged in abuse, as defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a), creates a rebuttable presumption that the parties will not be able to cooperate in the future decision making required. ~~This presumption may be rebutted by clear and convincing evidence that the abuse will not interfere with the parties' ability to cooperate in the future decision making required.~~

SECTION 3054cq. 767.24 (2) (c) of the statutes is created to read:

767.24 **(2)** (c) The court may not give sole legal custody to a parent who refuses to cooperate with the other parent if the court finds that the refusal to cooperate is unreasonable.

SECTION 3054cr. 767.24 (4) (a) of the statutes is renumbered 767.24 (4) (a) 1. and amended to read:

767.24 **(4)** (a) 1. Except as provided under par. (b), if the court orders sole or joint legal custody under sub. (2), the court shall allocate periods of physical placement between the parties in accordance with this subsection.

2. In determining the allocation of periods of physical placement, the court shall consider each case on the basis of the factors in sub. (5). The court shall set a placement schedule that allows the child to have regularly occurring, meaningful periods of physical placement with each parent and that maximizes the amount of time the child may spend with each parent, taking into account geographic separation and accommodations for different households.

SECTION 3054cs. 767.24 (4) (a) 3. of the statutes is created to read: **Vetoed In Part**

767.24 **(4)** (a) 3. Notwithstanding subd. 2. and sub. (5), the court shall presume that any proposal submitted to the court with respect to periods of physical placement

Vetoed In Part

that has been voluntarily agreed to by the parties is in the child's best interest.

SECTION 3054ct. 767.24 (4) (c) of the statutes is amended to read:

767.24 **(4)** (c) No court may deny periods of physical placement for failure to meet, or grant periods of physical placement for meeting, any financial obligation to the child or, if the parties were married, to the former spouse.

SECTION 3054cu. 767.24 (5) (intro.) of the statutes is amended to read:

767.24 **(5)** FACTORS IN CUSTODY AND PHYSICAL PLACEMENT DETERMINATIONS. (intro.) In determining legal custody and periods of physical placement, the court shall consider all facts relevant to the best interest of the child. The court may not prefer one parent or potential custodian over the other on the basis of the sex or race of the parent or potential custodian. ~~The court shall consider reports of appropriate professionals if admitted into evidence when legal custody or physical placement is contested.~~ The court shall consider the following factors in making its determination:

SECTION 3054cv. 767.24 (5) (a) of the statutes is amended to read:

767.24 **(5)** (a) The wishes of the child's parent or parents, as shown by any stipulation between the parties, any proposed parenting plan or any legal custody or physical placement proposal submitted to the court at trial.

Vetoed In Part

SECTION 3054cw. 767.24 (5) (bm) of the statutes is created to read:

767.24 **(5)** (bm) The right of the child to spend the same amount of time or substantial periods of time with each parent.

SECTION 3054cx. 767.24 (5) (cm) of the statutes is created to read:

767.24 **(5)** (cm) The amount and quality of time that each parent has spent with the child in the past, any necessary changes to the parents' custodial roles and any reasonable life–style changes that a parent proposes to make to be able to spend time with the child in the future.

SECTION 3054cy. 767.24 (5) (dm) of the statutes is created to read:

767.24 **(5)** (dm) The age of the child and the child's developmental and educational needs at different ages.

SECTION 3054cz. 767.24 (5) (em) of the statutes is created to read:

767.24 **(5)** (em) The need for regularly occurring and meaningful periods of physical placement to provide predictability and stability for the child.

SECTION 3054d. 767.24 (5) (fm) of the statutes is created to read:

767.24 **(5)** (fm) The cooperation and communication between the parties and whether either party unreasonably refuses to cooperate or communicate with the other party.

SECTION 3054dc. 767.24 (5) (g) of the statutes is amended to read:

767.24 **(5)** (g) Whether each party can support the other party's relationship with the child, including encouraging and facilitating frequent and continuing contact with the child, or whether one party is likely to unreasonably interfere with the child's continuing relationship with the other party.

SECTION 3054dd. 767.24 (5) (jm) of the statutes is created to read:

767.24 **(5)** (jm) The reports of appropriate professionals if admitted into evidence.

SECTION 3054de. 767.242 of the statutes is created to read:

767.242 Enforcement of physical placement orders. (1) DEFINITIONS. In this section:

(a) "Petitioner" means the parent filing a petition under this section, regardless of whether that parent was the petitioner in the action in which periods of physical placement were awarded under s. 767.24.

(b) "Respondent" means the parent upon whom a petition under this section is served, regardless of whether that parent was the respondent in the action in which periods of physical placement were awarded under s. 767.24.

(2) WHO MAY FILE. A parent who has been awarded periods of physical placement under s. 767.24 may file a petition under sub. (3) if any of the following applies:

(a) The parent has had one or more periods of physical placement denied by the other parent.

(b) The parent has had one or more periods of physical placement substantially interfered with by the other parent.

(c) The parent has incurred a financial loss or expenses as a result of the other parent's intentional failure to exercise one or more periods of physical placement under an order allocating specific times for the exercise of periods of physical placement.

(3) PETITION. (a) The petition shall allege facts sufficient to show the following:

1. The name of the petitioner and that the petitioner has been awarded periods of physical placement.

2. The name of the respondent.

3. That the criteria in sub. (2) apply.

(b) The petition shall request the imposition of a remedy or any combination of remedies under sub. (5) (b) and (c). This paragraph does not prohibit a judge or family court commissioner from imposing a remedy under sub. (5) (b) or (c) if the remedy was not requested in the petition.

(c) A judge or family court commissioner shall accept any legible petition for an order under this section.

(d) The petition shall be filed under the principal action under which the periods of physical placement were awarded.

(e) A petition under this section is a motion for remedial sanction for purposes of s. 785.03 (1) (a).

(4) SERVICE ON RESPONDENT; RESPONSE. Upon the filing of a petition under sub. (3), the petitioner shall serve a copy of the petition upon the respondent by personal service in the same manner as a summons is served under s. 801.11. The respondent may respond to the petition either in writing before or at the hearing under sub. (5) (a) or orally at that hearing.

(5) HEARING; REMEDIES. (a) A judge or family court commissioner shall hold a hearing on the petition no later than 30 days after the petition has been served, unless the time is extended by mutual agreement of the parties or upon the motion of a guardian ad litem and the approval of the judge or family court commissioner. The judge or family court commissioner may, on his or her own motion or the motion of any party, order that a guardian ad litem be appointed for the child prior to the hearing.

(b) If, at the conclusion of the hearing, the judge or family court commissioner finds that the respondent has intentionally and unreasonably denied the petitioner one or more periods of physical placement or that the respondent has intentionally and unreasonably interfered with one or more of the petitioner's periods of physical placement, the court or family court commissioner:

1. Shall do all of the following:

a. Issue an order granting additional periods of physical placement to replace those denied or interfered with.

b. Award the petitioner a reasonable amount for the cost of maintaining an action under this section and for attorney fees.

2. May do one or more of the following:

a. If the underlying order or judgment relating to periods of physical placement does not provide for specific times for the exercise of periods of physical placement, issue an order specifying the times for the exercise of periods of physical placement.

b. Find the respondent in contempt of court under ch. 785.

c. Grant an injunction ordering the respondent to strictly comply with the judgment or order relating to the award of physical placement. In determining whether to issue an injunction, the judge or family court commissioner shall consider whether alternative remedies requested by the petitioner would be as effective in obtaining compliance with the order or judgment relating to physical placement.

(c) If, at the conclusion of the hearing, the judge or family court commissioner finds that the petitioner has incurred a financial loss or expenses as a result of the respondent's failure, intentionally and unreasonably and without adequate notice to the petitioner, to exercise one or more periods of physical placement under an order allocating specific times for the exercise of periods of physical placement, the judge or family court commissioner may issue an order requiring the respondent to pay to the petitioner a sum of money sufficient to compensate the petitioner for the financial loss or expenses.

(d) Except as provided in par. (b) 1. a. and 2. a., the judge or family court commissioner may not modify an order of legal custody or physical placement in an action under this section.

(e) An injunction issued under par. (b) 2. c. is effective according to its terms, for the period of time that the petitioner requests, but not more than 2 years.

(6) ENFORCEMENT ASSISTANCE. (a) If an injunction is issued under sub. (5) (b) 2. c., upon request by the petitioner the judge or family court commissioner shall order the sheriff to assist the petitioner in executing or serving the injunction.

(b) Within 24 hours after a request by the petitioner, the clerk of the circuit court shall send a copy of an injunction issued under sub. (5) (b) 2. c. to the sheriff or to any other local law enforcement agency that is the central repository for orders and that has jurisdiction over the respondent's residence. If the respondent does not reside in this state, the clerk shall send a copy of the injunction to the sheriff of the county in which the circuit court is located.

(c) The sheriff or other appropriate local law enforcement agency under par. (b) shall make available to other law enforcement agencies, through a verification system, information on the existence and status of any injunction issued under sub. (5) (b) 2. c. The information need not be maintained after the injunction is no longer in effect.

Vetoed In Part

(7) ARREST. A law enforcement officer may arrest and take a person into custody if all of the following apply:

(a) A petitioner under this section presents the law enforcement officer with a copy of an injunction issued under sub. (5) (b) 2. c. or the law enforcement officer determines that such an injunction exists through communication with appropriate authorities.

(b) The law enforcement officer has probable cause to believe that the person has violated the injunction issued under sub. (5) (b) 2. c.

(8) PENALTY. Whoever intentionally violates an injunction issued under sub. (5) (b) 2. c. may be fined not more than $10,000 or imprisoned for not more than 2 years or both.

SECTION 3054dem. 767.245 (1) of the statutes is amended to read:

767.245 **(1)** Except as provided in ~~sub.~~ subs. (1m) and (2m), upon petition by a grandparent, greatgrandparent, stepparent or person who has maintained a relationship similar to a parent–child relationship with the child, the court may grant reasonable visitation rights to that person if the parents have notice of the hearing and if the court determines that visitation is in the best interest of the child.

SECTION 3054dep. 767.245 (1m) of the statutes is created to read:

767.245 **(1m)** (a) Except as provided in par. (b), the court may not grant visitation rights under sub. (1) to a

person who has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated.

(b) Paragraph (a) does not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making the determination.

SECTION 3054der. 767.245 (6) of the statutes is created to read:

767.245 **(6)** (a) If a person granted visitation rights with a child under this section is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, the court shall modify the visitation order by denying visitation with the child upon petition, motion or order to show cause by a parent or guardian of the child, or upon the court's own motion, and upon notice to the person granted visitation rights.

(b) Paragraph (a) does not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making that determination.

SECTION 3054det. 767.247 of the statutes is created to read:

767.247 Prohibiting visitation or physical placement if a parent kills other parent. (1) Notwithstanding ss. 767.23 (1) (am), 767.24 (1), (4) and (5), 767.51 (3) and 767.62 (4) (a) and except as provided in sub. (2), in an action under this chapter that affects a minor child, a court or family court commissioner may not grant to the child's parent visitation or physical placement rights with the child if the parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated.

(2) Subsection (1) does not apply if the court or family court commissioner determines by clear and convincing evidence that the visitation or periods of physical placement would be in the best interests of the child. The court or family court commissioner shall consider the wishes of the child in making the determination.

SECTION 3054df. 767.25 (1) (intro.) of the statutes is amended to read:

767.25 **(1)** (intro.) Whenever the court approves a stipulation for child support under s. 767.10, enters a judgment of annulment, divorce or legal separation, or enters an order or a judgment in a paternity action or in an action under s. 767.02 (1) (f) or (j) ~~or,~~ 767.08 or 767.62 (3), the court shall do all of the following:

SECTION 3054dg. 767.25 (1m) (b) of the statutes is amended to read:

767.25 **(1m)** (b) The financial resources of both parents ~~as determined under s. 767.255~~.

SECTION 3054dh. 767.25 (1m) (c) of the statutes is amended to read:

767.25 **(1m)** (c) ~~The~~ If the parties were married, the standard of living the child would have enjoyed had the marriage not ended in annulment, divorce or legal separation.

SECTION 3054di. 767.25 (4m) (b) of the statutes is amended to read:

767.25 **(4m)** (b) In addition to ordering child support for a child under sub. (1), the court shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses. In assigning responsibility for a child's health care expenses, the court shall consider whether a child is covered under a parent's health insurance policy or plan at the time the court approves a stipulation for child support under s. 767.10, enters a judgment of annulment, divorce or legal separation, or enters an order or a judgment in a paternity action or in an action under s. 767.02 (1) (f) or (j) ~~or,~~ 767.08 or 767.62 (3), the availability of health insurance to each parent through an employer or other organization, the extent of coverage available to a child and the costs to the parent for the coverage of the child. A parent may be required to initiate or continue health care insurance coverage for a child under this subsection. If a parent is required to do so, he or she shall provide copies of necessary program or policy identification to the custodial parent and is liable for any health care costs for which he or she receives direct payment from an insurer. This subsection shall not be construed to limit the authority of the court to enter or modify support orders containing provisions for payment of medical expenses, medical costs, or insurance premiums which are in addition to and not inconsistent with this subsection.

SECTION 3054dj. 767.25 (5) of the statutes is amended to read:

767.25 **(5)** ~~Liability~~ Subject to ss. 767.51 (4) and 767.62 (4m), liability for past support shall be limited to the period after the birth of the child.

SECTION 3054dk. 767.25 (6) (intro.) of the statutes, as affected by 1997 Wisconsin Act 191, section 398, is amended to read:

767.25 **(6)** (intro.) A party ordered to pay child support under this section shall pay simple interest at the rate of ~~1.5%~~ 1% per month on any amount in arrears that is equal to or greater than the amount of child support due in one month. If the party no longer has a current obligation to pay child support, interest at the rate of ~~1.5%~~ 1% per month shall accrue on the total amount of child support in arrears, if any. Interest under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4)

or 815.05 (8) and is paid to the department or its designee under s. 767.29. Except as provided in s. 767.29 (1m), the department or its designee, whichever is appropriate, shall apply all payments received for child support as follows:

SECTION 3054dL. 767.253 of the statutes is amended to read:

767.253 Seek–work orders. In an action for modification of a child support order under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~, the court may order either or both parents of the child to seek employment or participate in an employment or training program.

SECTION 3054dm. 767.254 (2) (intro.) of the statutes is amended to read:

767.254 **(2)** (intro.) In an action for revision of a judgment or order providing for child support under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~, the court shall order an unemployed teenage parent to do one or more of the following:

SECTION 3054dn. 767.261 (intro.) of the statutes, as affected by 1997 Wisconsin Act 191, section 403, is amended to read:

767.261 Family support. (intro.) The court may make a financial order designated "family support" as a substitute for child support orders under s. 767.25 and maintenance payment orders under s. 767.26. A party ordered to pay family support under this section shall pay simple interest at the rate of ~~1.5%~~ 1% per month on any amount in arrears that is equal to or greater than the amount of child support due in one month. If the party no longer has a current obligation to pay child support, interest at the rate of ~~1.5%~~ 1% per month shall accrue on the total amount of child support in arrears, if any. Interest under this section is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the department or its designee under s. 767.29. Except as provided in s. 767.29 (1m), the department or its designee, whichever is appropriate, shall apply all payments received for family support as follows:

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) or for the annual receiving and disbursing fee under s. 767.29 (1) (d), 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 3055c. 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), for maintenance payments under s. 767.02 (1) (g) or for the annual receiving and disbursing fee under s. 767.29 (1) (d), 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 or annual receiving and disbursing fee payment within 10 days after its due date, within 20 days after the payment's due date the court, family court commissioner or county child support agency under s. 59.53 (5) shall cause the assignment to go into effect by providing notice of the assignment in the manner provided under sub. (2r) and shall send a notice by regular mail to the last–known address of the payer. The notice sent to the payer shall inform the payer that an assignment is in effect and that the payer may, within a 10–day period, by motion request a hearing on the issue of whether the assignment should remain in effect. The court or family court commissioner shall hold a hearing requested under this subsection within 10 working days after the date of the request. If at the hearing the payer establishes that the assignment is not proper because of a mistake of fact, the court or family court commissioner may direct that the assignment be withdrawn. Either party may, within 15 working days after the date of a decision by a family court commissioner under this subsection, seek review of the decision by the court with jurisdiction over the action.

SECTION 3060. 767.265 (2m) of the statutes is created to read:

767.265 **(2m)** (a) 1. An obligation to pay unpaid fees under s. 767.29 (1) (dm) 1m. constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments and other money due or to be due in the future to the department or its designee.

2. An obligation to pay unpaid fees under s. 767.29 (1) (dm) 2m. constitutes an assignment of all commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments and other money due or to be due in the future to the clerk of court to whom the fees are owed, or to his or her successor.

(b) The county child support agency under s. 59.53 (5) may cause an assignment under par. (a) to go into effect by providing notice of the assignment in the manner provided under sub. (2r) and sending a notice by regular mail to the last–known address of the payer. The notice sent to the payer shall inform the payer that an assignment is in effect and that the payer may, within a 10–day period, by motion request a hearing on the issue of whether the assignment should remain in effect. The court or family court commissioner shall hold a hearing requested under this paragraph within 10 working days after the date of the request. If at the hearing the payer establishes that the assignment is not proper because of a mistake of fact, the court or family court commissioner may direct that the assignment be withdrawn. The payer or the county child support agency may, within 15 working days after the date of a decision by a family court commissioner under this paragraph, seek review of the decision by the court with jurisdiction over the action.

SECTION 3061. 767.265 (2r) of the statutes, as affected by 1997 Wisconsin Act 191, section 414, is amended to read:

767.265 **(2r)** Upon entry of each order for child support, maintenance, family support ~~or~~, support by a spouse 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 3061c. 767.265 (3h) of the statutes, as affected by 1997 Wisconsin Act 191, section 415, is amended to read:

767.265 **(3h)** A person who receives notice of assignment under this section or s. 767.23 (1) (L)~~,~~ or 767.25 (4m) (c)~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.~~ or similar laws of another state shall withhold the amount specified in the notice from any money that person pays to the payer later than one week after receipt of notice of assignment. Within 5 days after the day the person pays money to the payer, the person shall send the amount withheld to the department or its designee, whichever is appropriate, or, in the case of an amount ordered withheld for health care expenses, to the appropriate health care insurer, provider or plan. With each payment sent to the department or its designee, the person from whom the payer receives money shall report to the department or its designee the payer's gross income or other gross amount from which the payment was withheld. Except as provided in sub. (3m), for each payment sent to the department or its designee, the person from whom the payer receives money shall receive an amount equal to the person's necessary disbursements, not to exceed $3, which shall be deducted from the money to be paid to the payer. Section 241.09 does not apply to assignments under this section.

SECTION 3061cd. 767.265 (4) of the statutes is amended to read:

767.265 **(4)** A withholding assignment or order under this section or s. 767.23 (1) (L)~~,~~ or 767.25 (4m) (c)~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.~~ has priority over any other assignment, garnishment or similar legal process under state law.

SECTION 3061ce. 767.265 (6) (a) of the statutes, as affected by 1997 Wisconsin Act 191, section 420, is amended to read:

767.265 **(6)** (a) Except as provided in sub. (3m), if after receipt of notice of assignment the person from whom the payer receives money fails to withhold the money or send the money to the department or its designee or the appropriate health care insurer, provider or plan as provided in this section or s. 767.23 (1) (L)~~,~~ or 767.25 (4m) (c)~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.~~, the person may be proceeded against under the principal action under ch. 785 for contempt of court or may be proceeded against under ch. 778 and be required to forfeit not less than $50 nor more than an amount, if the amount exceeds $50, that is equal to 1% of the amount not withheld or sent.

SECTION 3061cf. 767.265 (6) (b) of the statutes, as affected by 1997 Wisconsin Act 191, section 422, is amended to read:

767.265 **(6)** (b) If an employer who receives an assignment under this section or s. 767.23 (1) (L)~~,~~ or 767.25 (4m) (c)~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.~~ fails to notify the department or its designee, whichever is appropriate, within 10 days after an employe is terminated or otherwise temporarily or permanently leaves employment, the employer may be proceeded against under the principal action under ch. 785 for contempt of court.

SECTION 3061cg. 767.265 (6) (c) of the statutes is amended to read:

767.265 **(6)** (c) No employer may use an assignment under this section or s. 767.23 (1) (L)~~,~~ or 767.25 (4m) (c)~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.~~ as a basis for the denial of employment to a person, the discharge of an employe or any disciplinary action against an employe. An employer who denies employment or discharges or disciplines an employe in violation of this paragraph may be fined not more than $500 and may be required to make full restitution to the aggrieved person, including reinstatement and back pay. Except as provided in this paragraph, restitution shall be in accordance with s. 973.20. An aggrieved person may apply to the district attorney or to the department for enforcement of this paragraph.

SECTION 3061ch. 767.267 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

767.267 **(1)** If the court or the family court commissioner determines that income withholding under s. 767.265 is inapplicable, ineffective or insufficient to ensure payment under an order or stipulation specified in s. 767.265 (1), or that income withholding under s. 767.25 (4m) (c) ~~or 767.51 (3m) (c)~~ is inapplicable, ineffective or insufficient to ensure payment of a child's health care expenses, including payment of health insurance premiums, ordered under s. 767.25 (4m) or 767.51 (3m), the court or family court commissioner may require the payer to identify or establish a deposit account, owned in whole or in part by the payer, that allows for periodic transfers of funds and to file with the financial institution at which the account is located an authorization for transfer from the account to the department or its designee, whichever is appropriate. The authorization shall be provided on a standard form approved by the court and shall specify the frequency and the amount of transfer, sufficient to meet the payer's obligation under the order or stipulation, as required by the court or family court commissioner. The authorization shall include the payer's consent for the financial institution or an officer, employe or agent of the financial institution to disclose information to the court, family court commissioner, county child support agency under

s. 59.53 (5), department or department's designee regarding the account for which the payer has executed the authorization for transfer.

SECTION 3062. 767.29 (1) (d) (intro.) and 1. of the statutes, as created by 1997 Wisconsin Act 27, are consolidated, renumbered 767.29 (1) (d) and amended to read:

767.29 **(1)** (d) For receiving and disbursing maintenance, child support or family support payments, and for maintaining the records required under par. (c), the department or its designee shall collect an annual fee of $25 ~~to be paid by each party ordered to make payments~~. The court or family court commissioner shall order each party ordered to make payments to pay the annual fee under this paragraph ~~at the time of, and in addition to, the first payment to the department or its designee~~ in each year for which payments are ordered. In directing the manner of payment of the annual fee, the court or family court commissioner shall order that the annual fee be withheld from income and sent to the department or its designee, as provided under s. 767.265. All fees collected under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering the payment of an annual fee under this paragraph, the court or family court commissioner shall notify each party ordered to make payments of the requirement to pay the annual fee and of the amount of the annual fee. If the annual fee under this ~~section~~ paragraph is not paid when due, the department or its designee may not deduct the annual fee from the maintenance or child or family support payment, but may ~~do any of the following: 1. Move~~ move the court for a remedial sanction under ch. 785.

SECTION 3063. 767.29 (1) (d) 2. of the statutes, as created by 1997 Wisconsin Act 27, is repealed.

SECTION 3064. 767.29 (1) (dm) of the statutes is created to read:

767.29 **(1)** (dm) 1m. The department or its designee may collect any unpaid fees under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated payment and collection system on December 31, 1998, and shall deposit all fees collected under this subdivision in the appropriation account under s. 20.445 (3) (ja). The department or its designee may collect unpaid fees under this subdivision through income withholding under s. 767.265 (2m). If the department or its designee determines that income withholding is inapplicable, ineffective or insufficient for the collection of any unpaid fees under this subdivision, the department or its designee may move the court for a remedial sanction under ch. 785. The department or its designee may contract with or employ a collection agency or other person for the collection of any unpaid fees under this subdivision and, notwithstanding s. 20.930, may contract with or employ an attorney to appear in any action in state or federal court to enforce the payment obligation. The department or its designee may not deduct the amount of unpaid fees from any maintenance or child or family support payment.

2m. A clerk of court may collect any unpaid fees under s. 814.61 (12) (b), 1997 stats., that are owed to the clerk of court, or to his or her predecessor, and that were not shown on the department's automated payment and collection system on December 31, 1998, through income withholding under s. 767.265 (2m). If the clerk of court determines that income withholding is inapplicable, ineffective or insufficient for the collection of any unpaid fees under this subdivision, the clerk of court may move the court for a remedial sanction under ch. 785.

SECTION 3065c. 767.29 (1m) (intro.) of the statutes, as affected by 1997 Wisconsin Act 191, section 427, is amended to read:

767.29 **(1m)** (intro.) Notwithstanding ss. 767.25 (6)~~,~~ and 767.261~~, 767.51 (5p) and 767.62 (4) (g)~~, if the department or its designee receives support or maintenance money that exceeds the amount due in the month in which it is received and that the department or its designee determines is for support or maintenance due in a succeeding month, the department or its designee may hold the amount of overpayment that does not exceed the amount due in the next month for disbursement in the next month if any of the following applies:

SECTION 3065cd. 767.295 (2) (a) (intro.) of the statutes is amended to read:

767.295 **(2)** (a) (intro.) In an action for modification of a child support order under s. 767.32, an action in which an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~ or a contempt of court proceeding to enforce a child support or family support order in a county that contracts under s. 49.36 (2), the court may order a parent who is not a custodial parent to register for a work experience and job training program under s. 49.36 if all of the following conditions are met:

SECTION 3065ce. 767.295 (2) (c) of the statutes is amended to read:

767.295 **(2)** (c) If the court enters an order under par. (a), it shall order the parent to pay child support equal to the amount determined by applying the percentage standard established under s. 49.22 (9) to the income a person would earn by working 40 hours per week for the federal minimum hourly wage under 29 USC 206 (a) (1) or equal to the amount of child support that the parent was ordered to pay in the most recent determination of support under this chapter. The child support obligation ordered under this paragraph continues until the parent makes timely payment in full for 3 consecutive months or until the person participates in the program under s. 49.36 for 16 weeks, whichever comes first. The court shall provide in its order that the parent must make child support payments calculated under s. 767.25 (1j) or (1m)~~, 767.51 (4m) or (5) or 767.62 (4) (d) 1. or (e)~~ after the obligation to make payments ordered under this paragraph ceases.

SECTION 3065cf. 767.303 (1) of the statutes is amended to read:

767.303 **(1)** If a person fails to pay a payment ordered for support under s. 767.077, support under s. 767.08, child support or family support under s. 767.23, child support under s. 767.25, family support under s. 767.261, revised child or family support under s. 767.32, child support under s. 767.458 (3), child support under s. 767.458 (3), child support under s. 767.51, child support under s. 767.62 (4) ~~(a)~~, child support under ch. 769 or child support under s. 948.22 (7), the payment is 90 or more days past due and the court finds that the person has the ability to pay the amount ordered, the court may suspend the person's operating privilege, as defined in s. 340.01 (40), until the person pays all arrearages in full or makes payment arrangements that are satisfactory to the court, except that the suspension period may not exceed 5 years. If otherwise eligible, the person is eligible for an occupational license under s. 343.10 at any time.

SECTION 3065cg. 767.303 (1) of the statutes, as affected by 1997 Wisconsin Act 84, is amended to read:

767.303 **(1)** If a person fails to pay a payment ordered for support under s. 767.077, support under s. 767.08, child support or family support under s. 767.23, child support under s. 767.25, family support under s. 767.261, revised child or family support under s. 767.32, child support under s. 767.458 (3), child support under s. 767.477, child support under s. 767.51, child support under s. 767.62 (4) ~~(a)~~, child support under ch. 769 or child support under s. 948.22 (7), the payment is 90 or more days past due and the court finds that the person has the ability to pay the amount ordered, the court may suspend the person's operating privilege, as defined in s. 340.01 (40), until the person pays all arrearages in full or makes payment arrangements that are satisfactory to the court, except that the suspension period may not exceed 2 years. If otherwise eligible, the person is eligible for an occupational license under s. 343.10 at any time.

SECTION 3065ch. 767.32 (1) (b) 4. of the statutes is amended to read:

767.32 **(1)** (b) 4. A difference between the amount of child support ordered by the court to be paid by the payer and the amount that the payer would have been required to pay based on the percentage standard established by the department under s. 49.22 (9) if the court did not use the percentage standard in determining the child support payments and did not provide the information required under s. 46.10 (14) (d), 301.12 (14) (d)~~,~~ or 767.25 (1n)~~, 767.51 (5d) or 767.62 (4) (f)~~, whichever is appropriate.

SECTION 3065ci. 767.32 (2m) of the statutes is amended to read:

767.32 **(2m)** Upon request by a party, the court may modify the amount of revised child support payments determined under sub. (2) if, after considering the factors listed in s. 767.25 (1m)~~, 767.51 (5) or 767.62 (4) (e), as appropriate~~, the court finds, by the greater weight of the credible evidence, that the use of the percentage standard is unfair to the child or to any of the parties.

SECTION 3065cj. 767.325 (2m) of the statutes is created to read:

767.325 **(2m)** MODIFICATION OF PERIODS OF PHYSICAL PLACEMENT FOR FAILURE TO EXERCISE PHYSICAL PLACEMENT. Notwithstanding subs. (1) and (2), upon petition, motion or order to show cause by a party, a court may modify an order of physical placement at any time with respect to periods of physical placement if it finds that a parent has repeatedly and unreasonably failed to exercise periods of physical placement awarded under an order of physical placement that allocates specific times for the exercise of periods of physical placement.

SECTION 3064cjm. 767.325 (4m) of the statutes is created to read:

767.325 **(4m)** DENIAL OF PHYSICAL PLACEMENT FOR KILLING OTHER PARENT. (a) Notwithstanding subs. (1) to (4), upon petition, motion or order to show cause by a party or on its own motion, a court shall modify a physical placement order by denying a parent physical placement with a child if the parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated.

(b) Paragraph (a) does not apply if the court determines by clear and convincing evidence that physical placement with the parent would be in the best interests of the child. The court shall consider the wishes of the child in making the determination.

SECTION 3065ck. 767.325 (5m) of the statutes is created to read:

767.325 **(5m)** FACTORS TO CONSIDER. In all actions to modify legal custody or physical placement orders, the court shall consider the factors under s. 767.24 (5) and shall make its determination in a manner consistent with s. 767.24.

SECTION 3065cL. 767.325 (6m) of the statutes is created to read:

767.325 **(6m)** PARENTING PLAN. In any action to modify a legal custody or physical placement order under sub. (1), the court may require the party seeking the modification to file with the court a parenting plan under s. 767.24 (1m) before any hearing is held.

SECTION 3065cm. 767.327 (4) of the statutes is amended to read:

767.327 **(4)** GUARDIAN AD LITEM; PROMPT HEARING. After a petition, motion or order to show cause is filed under sub. (3), the court shall appoint a guardian ad litem, unless s. 767.045 (1) (am) applies, and shall hold a hearing as soon as possible.

SECTION 3065cn. 767.327 (5m) of the statutes is created to read:

767.327 **(5m)** DISCRETIONARY FACTORS TO CONSIDER. In making a determination under sub. (3), the court may

consider the child's adjustment to the home, school, religion and community.

SECTION 3065co. 767.45 (7) of the statutes is amended to read:

767.45 **(7)** The clerk of court shall provide without charge, to each person bringing an action under this section, except to the state under sub. (1) (g) or (6m), a document setting forth the percentage standard established by the department under s. 49.22 (9) and listing the factors which a court may consider under s. ~~767.51 (5)~~ 767.25 (1m).

SECTION 3065cp. 767.455 (6) of the statutes is amended to read:

767.455 **(6)** DOCUMENT. The summons served on the respondent shall be accompanied by a document, provided without charge by the clerk of court, setting forth the percentage standard established by the department under s. 49.22 (9) and listing the factors which a court may consider under s. ~~767.51 (5)~~ 767.25 (1m).

SECTION 3065cpm. 767.475 (2m) of the statutes is created to read:

767.475 **(2m)** If there is no presumption of paternity under s. 891.41 (1), the mother shall have sole legal custody of the child until the court orders otherwise.

Vetoed In Part

SECTION 3065cq. 767.477 (1) of the statutes is amended to read:

767.477 **(1)** At any time during the pendency of an action to establish the paternity of a child, if genetic tests show that the alleged father is not excluded and that the statistical probability of the alleged father's parentage is 99.0% or higher, on the motion of a party, the court shall make ~~an~~ appropriate temporary ~~order~~ orders for the payment of child support ~~and may make a temporary order~~, assigning responsibility for and directing the manner of payment of the child's health care expenses and for the custody and physical placement of the child.

SECTION 3065cr. 767.477 (2) of the statutes is amended to read:

767.477 **(2)** Before making any temporary order under sub. (1), the court shall consider those factors that the court is required ~~under s. 767.51~~ to consider when granting a final judgment on the same subject matter. If the court makes a temporary child support order that deviates from the amount of support that would be required by using the percentage standard established by the department under s. 49.22 (9), the court shall comply with the requirements of s. ~~767.51 (5d)~~ 767.25 (1n).

SECTION 3065cs. 767.51 (3) of the statutes is repealed and recreated to read:

767.51 **(3)** A judgment or order determining paternity shall contain all of the following provisions:

(a) An adjudication of the paternity of the child.

(b) Orders for the legal custody of and periods of physical placement with the child, determined in accordance with s. 767.24.

(c) An order requiring either or both of the parents to contribute to the support of any child of the parties who is less than 18 years old, or any child of the parties who is less than 19 years old if the child is pursuing an accredited course of instruction leading to the acquisition of a high school diploma or its equivalent, determined in accordance with s. 767.25.

(d) A determination as to which parent, if eligible, shall have the right to claim the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or as an exemption for state tax purposes under s. 71.07 (8) (b).

(e) An order requiring the father to pay or contribute to the reasonable expenses of the mother's pregnancy and the child's birth, based on the father's ability to pay or contribute to those expenses.

(f) An order requiring either or both parties to pay or contribute to the costs of the guardian ad litem fees, genetic tests as provided in s. 767.48 (5) and other costs.

(g) An order requiring either party to pay or contribute to the attorney fees of the other party.

SECTION 3065ct. 767.51 (3m) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed.

SECTION 3065cu. 767.51 (3r) of the statutes is repealed.

SECTION 3065cv. 767.51 (4) of the statutes is repealed and recreated to read:

767.51 **(4)** (a) Subject to par. (b), liability for past support of the child shall be limited to support for the period after the day on which the petition in the action under s. 767.45 is filed, unless a party shows, to the satisfaction of the court, all of the following:

1. That he or she was induced to delay commencing the action by any of the following:

a. Duress or threats.

b. Actions, promises or representations by the other party upon which the party relied.

c. Actions taken by the other party to evade paternity proceedings.

2. That, after the inducement ceased to operate, he or she did not unreasonably delay in commencing the action.

(b) In no event may liability for past support of the child be imposed for any period before the birth of the child.

SECTION 3065cw. 767.51 (4g) of the statutes is repealed.

SECTION 3065cx. 767.51 (4m) of the statutes is repealed.

SECTION 3065cy. 767.51 (5) of the statutes is repealed.

SECTION 3065d. 767.51 (5d) of the statutes is repealed.

SECTION 3065dd. 767.51 (5p) of the statutes, as affected by 1997 Wisconsin Act 191, is repealed.

SECTION 3065de. 767.53 (intro.) of the statutes is amended to read:

767.53 Paternity hearings and records; confidentiality. (intro.) Any hearing, discovery proceeding or trial relating to paternity determination shall be closed to any person other than those necessary to the action or proceeding. Any record of ~~the~~ pending proceedings shall be placed in a closed file, except that:

SECTION 3065df. 767.53 (1) (intro.) of the statutes is amended to read:

767.53 **(1)** (intro.) Access to the record of any pending ~~or past~~ proceeding involving the paternity of the same child shall be allowed to all of the following:

SECTION 3065dg. 767.53 (3) of the statutes is created to read:

767.53 **(3)** Subject to s. 767.19, a record of a past proceeding is open to public inspection if all of the following apply:

(a) Paternity was established in the proceeding.

(b) The record is filed after the effective date of this paragraph .... [revisor inserts date].

(c) The record relates to a post–adjudication issue.

SECTION 3065dh. 767.62 (4) of the statutes, as affected by 1997 Wisconsin Act 191, is repealed and recreated to read:

767.62 **(4)** ORDERS WHEN PATERNITY ACKNOWLEDGED. In an action under sub. (3) (a), if the persons who signed and filed the statement acknowledging paternity as parents of the child had notice of the hearing, the court or family court commissioner shall make an order that contains all of the following provisions:

(a) Orders for the legal custody of and periods of physical placement with the child, determined in accordance with s. 767.24.

(b) An order requiring either or both of the parents to contribute to the support of any child of the parties who is less than 18 years old, or any child of the parties who is less than 19 years old if the child is pursuing an accredited course of instruction leading to the acquisition of a high school diploma or its equivalent, determined in accordance with s. 767.25.

(c) A determination as to which parent, if eligible, shall have the right to claim the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or as an exemption for state tax purposes under s. 71.07 (8) (b).

(d) An order requiring the father to pay or contribute to the reasonable expenses of the mother's pregnancy and the child's birth, based on the father's ability to pay or contribute to those expenses.

(e) An order requiring either or both parties to pay or contribute to the costs of the guardian ad litem fees and other costs.

(f) An order requiring either party to pay or contribute to the attorney fees of the other party.

SECTION 3065di. 767.62 (4m) of the statutes is created to read:

767.62 **(4m)** LIABILITY FOR PAST SUPPORT. (a) Subject to par. (b), liability for past support of the child shall be limited to support for the period after the day on which the petition, motion or order to show cause requesting support is filed in the action for support under sub. (3) (a), unless a party shows, to the satisfaction of the court, all of the following:

1. That he or she was induced to delay commencing the action by any of the following:

a. Duress or threats.

b. Actions, promises or representations by the other party upon which the party relied.

c. Actions taken by the other party to evade proceedings under sub. (3) (a).

2. That, after the inducement ceased to operate, he or she did not unreasonably delay in commencing the action.

(b) In no event may liability for past support of the child be imposed for any period before the birth of the child.

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 3072g. 778.25 (1) (a) 4. of the statutes is repealed.

SECTION 3072m. 779.85 (6) of the statutes is amended to read:

779.85 **(6)** "Prepayment" means any full or partial payment received by a seller or an obligation incurred by a customer to a creditor or to a seller or to a seller's assignee for maintenance to be performed by a seller if payment is made before the maintenance is rendered or received. This term does not include prepayment for maintenance under an insurance policy. Except with regard to a warranty under s. ~~218.14~~ 101.953, this term does not include prepayment for maintenance to be provided under a manufacturer's warranty on goods or maintenance unless there is a prepayment made for maintenance to be rendered under the warranty separate from the payment for the goods themselves.

SECTION 3073m. 800.01 (2) (a) of the statutes is amended to read:

800.01 **(2)** (a) Service under sub. (1) (a) shall be as provided in s. 801.11 or 968.04 (3) (b) 2. or by personal service by ~~a municipal employe~~ an adult who is a resident of the state where the service is made but who is not a party to the action.

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, any applicable consumer information assessment, any applicable domestic abuse assessment and such other relief that is sought by the plaintiff.

SECTION 3075m. 800.02 (4) (a) (intro.) of the statutes is amended to read:

800.02 **(4)** (a) (intro.) The summons shall be signed by a municipal judge or by the attorney who is prosecuting the case in municipal court and shall contain the following information:

SECTION 3076. 800.03 (3) of the statutes is amended to read:

800.03 **(3)** The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality. The amount shall not exceed the maximum penalty for the offense, including any penalty assessment that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that would be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement assessment that would be applicable under s. 165.755, any consumer information assessment that would be applicable under s. 100.261 and any domestic abuse assessment that would be applicable under s. 973.055 (1), plus court costs, including the fee prescribed in s. 814.65 (1).

SECTION 3077. 800.04 (2) (b) of the statutes is amended to read:

800.04 **(2)** (b) If the municipal judge determines that the defendant should not be released under par. (a) and the defendant is charged with a traffic or boating violation, the municipal judge shall release the defendant on a deposit in the amount established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66. For other violations, the municipal judge shall establish a deposit in an amount not to exceed the maximum penalty for the offense, including any penalty assessment that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that would be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement assessment that would be applicable under s. 165.755, any consumer information assessment that would be applicable under s. 100.261 and any domestic abuse assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class city determines that a defendant appearing before the judge through interactive video and audio transmission should not be released under par. (a), the judge shall inform the defendant that he or she has the right to appear personally before a judge for a determination, not prejudiced by the first appearance, as to whether he or she should be released without a deposit. On failure of the defendant to make a deposit under this paragraph, he or she may be committed to jail pending trial only if the judge finds that there is a reasonable basis to believe the person will not appear in court.

SECTION 3078. 800.04 (2) (c) of the statutes is amended to read:

800.04 **(2)** (c) If the defendant has made a deposit under par. (b) or s. 800.03 and does not appear, he or she is deemed to have tendered a plea of no contest and submits to a forfeiture, a penalty assessment imposed by s. ~~165.87~~ 757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law enforcement

assessment imposed by s. 165.755, any applicable consumer information assessment imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s. 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the court finds that the violation meets the conditions in s. 800.093 (1), the court may summon the alleged violator into court to determine if restitution shall be ordered under s. 800.093. If the defendant fails to appear in response to the summons, the court shall issue a warrant under s. 968.09. If the defendant has made a deposit but does appear, the court shall allow the defendant to withdraw the plea of no contest.

SECTION 3078g. 800.04 (5) of the statutes is created to read:

800.04 **(5)** Unless good cause to the contrary is shown, appearances referred to in this section may be conducted by telephone or by interactive video and audio transmission, if available. If testimony is to be taken under oath, the proceeding shall be reported by a court reporter who is in simultaneous voice communication with all parties to the proceeding. Regardless of the physical location of any party to the call, any plea, waiver, stipulation, motion, objection, decision, order or other action taken by the court or any party shall have the same effect as if made in open court. With the exceptions of scheduling conferences, pretrial conferences, and, during hours the court is not in session, the proceeding shall be conducted in a courtroom or other place reasonably accessible to the public. Simultaneous access to the proceeding shall be provided to persons entitled to attend by means of a loudspeaker or, upon request to the court, by making a person party to the telephone call without charge. The court may permit a hearing under this section to be conducted by telephone or by interactive video and audio transmission only if the defendant consents. The defendant's consent may be made by telephone.

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 3080mg. 800.09 (1) (c) of the statutes is amended to read:

800.09 **(1)** (c) 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. This paragraph does not apply if the forfeiture is assessed for violation of an ordinance that is unrelated to the violator's operation of a motor vehicle.

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 3083m. 800.095 (4) (b) 4. of the statutes is amended to read:

800.095 **(4)** (b) 4. 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. This subdivision does not apply if the forfeiture is assessed for violation of an ordinance that is unrelated to the violator's operation of a motor vehicle.

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 3085c. 802.12 (3) (d) 1. of the statutes is amended to read:

802.12 **(3)** (d) 1. Custody and physical placement under s. 767.24, 767.458 (3), 767.51 (3) or 767.62 (4) ~~(a)~~.

SECTION 3085d. 802.12 (3) (d) 3. of the statutes is amended to read:

802.12 **(3)** (d) 3. Child support under s. 767.25, 767.458 (3), 767.51 or 767.62 (4) ~~(a)~~.

SECTION 3086. 803.03 (2) (b) of the statutes is amended to read:

803.03 **(2)** (b) *Options after joinder.* Any party joined pursuant to par. (a) may 1. participate in the prosecution of the action, 2. agree to have his or her interest represented by the party who caused the joinder, or 3. move for dismissal with or without prejudice. If the party joined chooses to participate in the prosecution of the action, the party joined shall have an equal voice with other claimants in such prosecution. ~~If~~ Except as provided in par. (bm), if the party joined chooses to have his or her interest represented by the party who caused the joinder, the party joined shall sign a written waiver of the right to participate which shall express consent to be bound by the judgment in the action. Such waiver shall become binding when filed with the court, but a party may withdraw the waiver upon timely motion to the judge to whom the case has been assigned with notice to the other parties. A party who represents the interest of another party and who obtains a judgment favorable to such other party may be awarded reasonable attorneys fees by the court. If the party joined moves for dismissal without prejudice as to his or her claim, the party shall demonstrate to the court that it would be unjust to require the party to prosecute the claim with the principal claim. In determining whether to grant the motion to dismiss, the court shall weigh the possible prejudice to the movant against the state's interest in economy of judicial effort.

SECTION 3087. 803.03 (2) (bm) of the statutes is created to read:

803.03 **(2)** (bm) *Joinders because of implication of medical assistance.* If the department of health and family services is joined as a party pursuant to par. (a) and s. 49.89 (2) because of the provision of benefits under subch. IV of ch. 49, the department of health and family services need not sign a waiver of the right to participate in order to have its interests represented by the party that caused the joinder. If the department of health and family services makes no selection under par. (b), the party causing the joinder shall represent the interests of the department of health and family services and the department of health and family services shall be bound by the judgment in the action.

SECTION 3087c. 808.075 (4) (d) 11. of the statutes is amended to read:

808.075 **(4)** (d) 11. Enforcement or modification of assignments under s. 767.25 (4m)~~,~~ or 767.265~~, 767.51 (3m) or 767.62 (4) (b) 3~~.

SECTION 3088a. 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~~ institutions, 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 3094. 814.60 (2) (a) of the statutes is amended to read:

814.60 **(2)** (a) Penalty assessment imposed by s. ~~165.87~~ 757.05;

SECTION 3095. 814.60 (2) (ai) of the statutes is created to read:

814.60 **(2)** (ai) Consumer information assessment imposed by s. 100.261.

SECTION 3095n. 814.61 (1) (c) 4. of the statutes is created to read:

814.61 **(1)** (c) 4. An action to terminate parental rights under subch. VIII of ch. 48.

SECTION 3095p. 814.61 (1) (c) 5. of the statutes is created to read:

814.61 **(1)** (c) 5. An action for adoption under subch. XIX of ch. 48.

Vetoed In Part

SECTION 3096m. 814.615 (1) (a) 3. of the statutes is amended to read:

814.615 **(1)** (a) 3. For a study under s. 767.11 (14), a fee of ~~$300~~ $500.

SECTION 3097. 814.63 (3) (a) of the statutes is amended to read:

814.63 **(3)** (a) Penalty assessment imposed by s. ~~165.87~~ 757.05.

SECTION 3098. 814.63 (3) (ai) of the statutes is created to read:

814.63 **(3)** (ai) Consumer information assessment imposed by s. 100.261.

SECTION 3099. 814.635 (1) of the statutes is amended to read:

814.635 **(1)** Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a ~~$7~~ $9 justice information system fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The justice information system fee is in addition to the other fees listed in this section.

SECTION 3101. 815.18 (3) (o) of the statutes is amended to read:

815.18 **(3)** (o) *Tuition units.* Tuition units purchased under s. ~~16.24~~ 14.63.

SECTION 3101m. 823.08 (3) (c) 2. of the statutes is amended to read:

823.08 **(3)** (c) 2. If the agricultural use or agricultural practice alleged to be a nuisance was begun before October 14, 1997, a department may advise the court under subd. 1. only if the department determines that cost–sharing is available to the defendant under s. 92.14~~, 281.16 (5)~~ or 281.65 or from any other source.

SECTION 3102. 859.02 (2) (a) of the statutes is amended to read:

859.02 **(2)** (a) It is a claim based on tort, on a marital property agreement that is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income, franchise, sales, withholding, gift or death taxes, or on unemployment insurance contributions due or benefits overpaid~~,~~; a claim for funeral or administrative expenses~~,~~; a claim of this state under s. 46.27 (7g), 49.496 or 49.682 or rules promulgated under s. 46.286 (7); or a claim of the United States; or

SECTION 3103. 859.07 (2) of the statutes is amended to read:

859.07 **(2)** If the decedent was at the time of death or at any time prior thereto a patient or inmate of any state or county hospital or institution or any person responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10, 48.36, 301.03 (18), 301.12 or 938.36 or if the decedent or the spouse of the decedent ever received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the personal representative shall send notice in writing of the date set under s. 859.01 by registered or certified mail to the department of health and family services or the department of corrections, as applicable, and the county clerk of the applicable county not less than 30 days before the date set under s. 859.01, upon such blanks and containing such information as the applicable department or county clerk may provide. The applicable county is the county of residence, as defined in s. 49.001 (6).

SECTION 3104. 867.01 (3) (a) 4. of the statutes is amended to read:

867.01 **(3)** (a) 4. Whether the decedent or the decedent's spouse received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685.

SECTION 3105. 867.01 (3) (d) of the statutes is amended to read:

867.01 **(3)** (d) *Notice.* The court may hear the matter without notice or order notice to be given under s. 879.03. If the decedent or the decedent's spouse received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the petitioner shall give notice by certified mail to the department of health and family services as soon as practicable after filing the petition with the court.

SECTION 3106. 867.02 (2) (a) 6. of the statutes is amended to read:

867.02 **(2)** (a) 6. Whether the decedent or the decedent's spouse received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685.

SECTION 3107. 867.03 (1g) (c) of the statutes is amended to read:

867.03 **(1g)** (c) Whether the decedent or the decedent's spouse ever received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685.

SECTION 3108. 867.03 (1m) (a) of the statutes is amended to read:

867.03 **(1m)** (a) Whenever an heir or person who was guardian of the decedent at the time of the decedent's death intends to transfer a decedent's property by affidavit under sub. (1g) and the decedent or the decedent's spouse ever received the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49, long–term community support services funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685, the heir or person who was guardian of the decedent at the time of the decedent's death shall give notice to the department of health and family services of his or her intent. The notice shall include the information in the affidavit under sub. (1g) and the heir or person who was guardian of the decedent at the time of the decedent's death shall give the notice by certified mail, return receipt requested.

SECTION 3109. 867.03 (1m) (b) of the statutes is amended to read:

867.03 **(1m)** (b) An heir or person who was guardian of the decedent at the time of the decedent's death who files an affidavit under sub. (1g) that states that the decedent or the decedent's spouse received 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 3111g. 880.155 (2) of the statutes is amended to read:

880.155 **(2)** If one or both parents of a minor child are deceased and the child is in the custody of the surviving parent or any other person, a grandparent or stepparent of the child may petition for visitation privileges with respect to the child, whether or not the person with custody is married. The grandparent or stepparent may file the petition in a guardianship or temporary guardianship proceeding under this chapter that affects the minor child or may file the petition to commence an independent action under this chapter. ~~The~~ Except as provided in sub. (3m), the court may grant reasonable visitation privileges to the grandparent or stepparent if the surviving parent or other person who has custody of the child has notice of the hearing and if the court determines that visitation is in the best interest of the child.

SECTION 3111j. 880.155 (3m) of the statutes is created to read:

880.155 **(3m)** (a) Except as provided in par. (b), the court may not grant visitation privileges to a grandparent or stepparent under this section if the grandparent or stepparent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–

degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated.

(b) Paragraph (a) does not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making the determination.

SECTION 3111m. 880.155 (4m) of the statutes is created to read:

880.155 **(4m)** (a) If a grandparent or stepparent granted visitation privileges with respect to a child under this section is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the child, and the conviction has not been reversed, set aside or vacated, the court shall modify the visitation order by denying visitation with the child upon petition, motion or order to show cause by a person having custody of the child, or upon the court's own motion, and upon notice to the grandparent or stepparent granted visitation privileges.

(b) Paragraph (a) does not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the child. The court shall consider the wishes of the child in making the determination.

SECTION 3111p. 880.157 of the statutes is created to read:

880.157 Prohibiting visitation or physical placement if a parent kills other parent. (1) Except as provided in sub. (2), in an action under this chapter that affects a minor child, a court may not grant to a parent of the child visitation or physical placement rights with the child if the parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the child's other parent, and the conviction has not been reversed, set aside or vacated.

(2) Subsection (1) does not apply if the court determines by clear and convincing evidence that visitation or periods of physical placement would be in the best interests of the child. The court shall consider the wishes of the child in making the determination.

SECTION 3111r. 891.455 (4) of the statutes is created to read:

891.455 **(4)** The presumption under sub. (2) for cancers caused by smoking or tobacco product use shall not apply to any municipal fire fighter who smokes cigarettes, as defined in s. 139.30 (1), or who uses a tobacco product, as defined in s. 139.75 (12), after January 1, 2001.

SECTION 3111s. 895.035 (4) of the statutes is amended to read:

895.035 **(4)** Except for recovery <u>under sub. (4a) or</u> for retail theft under s. 943.51, the maximum recovery <u>under this section</u> from any parent or parents may not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any one act of a juvenile in addition to taxable costs and disbursements and reasonable attorney fees, as determined by the court. If 2 or more juveniles in the custody of the same parent or parents commit the same act the total recovery <u>under this section</u> may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs and disbursements. The maximum recovery from any parent or parents for retail theft by their minor child is established under s. 943.51.

SECTION 3111t. 895.035 (4a) of the statutes is created to read:

895.035 **(4a)** (a) The maximum recovery under this section by a school board or a governing body of a private school from any parent or parents with custody of a minor child may not exceed $20,000 for damages resulting from any one act of the minor child in addition to taxable costs and disbursements and reasonable attorney fees, as determined by the court, for damages caused to the school board or the governing body of a private school by any of the following actions of the minor child:

1. An act or threat that endangers the property, health or safety of persons at the school or under the supervision of a school authority or that damages the property of a school board or the governing body of a private school and that results in a substantial disruption of a school day or a school activity.

2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or 947.015.

(b) In addition to other recoverable damages, damages under par. (a) may include the cost to the school board or the governing body of a private school in loss of instructional time directly resulting from the action of the minor child under par. (a).

(c) If 2 or more minor children in the custody of the same parent or parents are involved in the same action under par. (a), the total recovery may not exceed $20,000, in addition to taxable costs, disbursements and reasonable attorney fees, as determined by the court.

(d) If an insurance policy does not explicitly provide coverage for actions under par. (a), the issuer of that policy is not liable for the damages resulting from those actions.

SECTION 3113g. 895.48 (1m) (intro.) of the statutes, as affected by 1997 Wisconsin Acts 67 and 156, is amended to read:

895.48 **(1m)** (intro.) Any physician <u>or athletic trainer</u> licensed under ch. 448, chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency medical technician licensed under s. 146.50, physician assistant licensed under ch. 448, registered nurse licensed under ch. 441 or a massage therapist or bodyworker issued a license of registration under subch. <u>X</u> of ch. 440 who renders voluntary health care to a participant in an athletic event or contest sponsored by a nonprofit corporation, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001 (3r), a public agency, as defined in s. 46.93

(1m) (e), or a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that care if all of the following conditions exist:

SECTION 3113m. 895.48 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act 156, is amended to read:

895.48 **(1m)** (b) The physician, athletic trainer, chiropractor, dentist, emergency medical technician, physician assistant, registered nurse, massage therapist or bodyworker does not receive compensation for the health care, other than reimbursement for expenses.

SECTION 3113n. 895.505 of the statutes is created to read:

895.505 Disposal of records containing personal information. (1) DEFINITIONS. In this section:

(a) "Credit card" has the meaning given in s. 421.301 (15).

(am) "Dispose" does not include a sale of a record or the transfer of a record for value.

(b) "Financial institution" means any bank, savings bank, savings and loan association or credit union that is authorized to do business under state or federal laws relating to financial institutions, any issuer of a credit card or any investment company.

(c) "Investment company" has the meaning given in s. 180.0103 (11e).

(d) "Medical business" means any organization or enterprise operated for profit or not for profit, including a sole proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation, limited liability company or association, that possesses information, other than personnel records, relating to a person's physical or mental health, medical history or medical treatment.

(e) "Personal information" means any of the following:

1. Personally identifiable data about an individual's medical condition, if the data are not generally considered to be public knowledge.

2. Personally identifiable data that contain an individual's account or customer number, account balance, balance owing, credit balance or credit limit, if the data relate to an individual's account or transaction with a financial institution.

3. Personally identifiable data provided by an individual to a financial institution upon opening an account or applying for a loan or credit.

4. Personally identifiable data about an individual's federal, state or local tax returns.

(f) "Personally identifiable" means capable of being associated with a particular individual through one or more identifiers or other information or circumstances.

(g) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics.

(h) "Tax preparation business" means any organization or enterprise operated for profit, including a sole proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation, limited liability company or association, that for a fee prepares an individual's federal, state or local tax returns or counsels an individual regarding the individual's federal, state or local tax returns.

(2) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION. A financial institution, medical business or tax preparation business may not dispose of a record containing personal information unless the financial institution, medical business, tax preparation business or other person under contract with the financial institution, medical business or tax preparation business does any of the following:

(a) Shreds the record before the disposal of the record.

(b) Erases the personal information contained in the record before the disposal of the record.

(c) Modifies the record to make the personal information unreadable before the disposal of the record.

(d) Takes actions that it reasonably believes will ensure that no unauthorized person will have access to the personal information contained in the record for the period between the record's disposal and the record's destruction.

(3) CIVIL LIABILITY; DISPOSAL AND USE. (a) A financial institution, medical business or tax preparation business is liable to a person whose personal information is disposed of in violation of sub. (2) for the amount of damages resulting from the violation.

(b) Any person who, for any purpose, uses personal information contained in a record that was disposed of by a financial institution, medical business or tax preparation business is liable to an individual who is the subject of the information and to the financial institution, medical business or tax preparation business that disposed of the record for the amount of damages resulting from the person's use of the information. This paragraph does not apply to a person who uses personal information with the authorization or consent of the individual who is the subject of the information.

(4) PENALTIES; DISPOSAL AND USE. (a) A financial institution, medical business or tax preparation business that violates sub. (2) may be required to forfeit not more than $1,000. Acts arising out of the same incident or occurrence shall be a single violation.

(b) Any person who possesses a record that was disposed of by a financial institution, medical business or tax preparation business and who intends to use, for any purpose, personal information contained in the record may be fined not more than $1,000 or imprisoned for not more than 90 days or both. This paragraph does not apply to a person who possesses a record with the authorization or consent of the individual whose personal information is contained in the record.

SECTION 3113p. 895.58 of the statutes is created to read:

895.58 Liability exemption; use of special waste under public works contracts. (1) In this section:

(a) "Department" means the department of natural resources.

(b) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an agency or corporation of such a political subdivision or special purpose district, or a combination or subunit of any of the foregoing.

(c) "Public works project" means any work done under contract to a state agency or local governmental unit.

(d) "Special waste" means any solid waste which is characterized for beneficial use in public works projects by the department of natural resources.

(2) The department may characterize a solid waste for beneficial use in public works projects by rule, memorandum of understanding between itself and other state agencies or local governmental units, or on a case–by–case basis. The department shall compile and maintain a list of special wastes in a format readily available to the general public and only those special wastes may be required by contracting agencies to be used in a public works project.

(3) Special waste, when used in a public works project, is not subject to regulation as solid waste under ch. 289.

(4) A person is immune from liability for the use of special waste on a public works project or for damages resulting from the person's actions or omissions relating to the use of the special waste on a public works project if all of the following apply:

(a) The acts or omissions by the person occurred while performing work under a contract for a public works project including acts or omissions by any person who has a direct contractual relationship with the prime contractor, as defined in s. 779.01 (2) (d), under a contract for a public works project to perform labor or furnish materials.

(b) The acts or omissions involving the special wastes were required or permitted in a contract for a public works project and the acts or omissions conformed to the provisions of the contract.

(5) Subsection (4) does not apply to any person to whom either of the following applies:

(a) The person's act or omission involved reckless, wanton or intentional misconduct.

(b) The person's act or omission resulted in injury or death to an individual.

SECTION 3115. 938.02 (6) of the statutes is amended to read:

938.02 **(6)** "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 juveniles ~~unless all of the juveniles are siblings~~ or, if necessary to enable a sibling group to remain together, for no more than 6 juveniles or, if the department of health and family services promulgates rules permitting a different number of juveniles, for the number of juveniles permitted under those rules.

SECTION 3116. 938.02 (14m) of the statutes is amended to read:

938.02 **(14m)** "Pupil assistance program" means a program provided by a school board under s. ~~115.362 (4) (b) 2.~~ 115.361 to intervene in the abuse of alcohol and other drugs by pupils.

SECTION 3117d. 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) (b) to hold in secure custody persons adjudged delinquent.

SECTION 3118d. 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 3119d. 938.02 (15p) of the statutes is created to read:

938.02 **(15p)** "Secured group home" means a group home 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 (4m).

SECTION 3120d. 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 3123d. 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 or a secured group home.

SECTION 3124d. 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. desig-

nated by agreement between the agency and the department and personnel of a county contracted with under s. 301.08 (1) (b) 4. designated by agreement between the county and the department have the power of law enforcement authorities to take a juvenile into physical custody under the following conditions:

SECTION 3125d. 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 3126d. 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 3127d. 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 3128d. 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, a secured child caring institution or a secured group home under s. 938.34 (4m), if appropriate.

SECTION 3129b. 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, unless the forfeiture was imposed for violating an ordinance unrelated to the juvenile's operation of a motor vehicle, 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 3130d. 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 3130m. 938.20 (8) of the statutes is amended to read: **Vetoed In Part**

938.20 **(8)** If a juvenile is held in custody, the intake worker shall notify the juvenile's parent, guardian and legal custodian of the reasons for holding the juvenile in custody and of the juvenile's whereabouts unless there is reason to believe that notice would present imminent danger to the juvenile. If a juvenile who has violated the terms of aftercare supervision administered by the department or a county department is held in custody, the intake worker shall also notify the department or county department, whichever has supervision over the juvenile, of the reasons for holding the juvenile in custody, of the juvenile's whereabouts and of the time and place of the detention hearing required under s. 938.21. The parent, guardian and legal custodian shall also be notified of the time and place of the detention hearing required under s. 938.21, the nature and possible consequences of that hearing, the right to counsel under s. 938.23 regardless of ability to pay and the right to present and cross–examine witnesses at the hearing. If the parent, guardian or legal custodian is not immediately available, the intake worker or another person designated by the court shall provide notice as soon as possible. When the juvenile is alleged to have committed a delinquent act, the juvenile shall receive the same notice about the detention hearing as the parent, guardian or legal custodian. The intake worker shall notify both the juvenile and the juvenile's parent, guardian or legal custodian.

SECTION 3130p. 938.207 (1) (a) of the statutes is amended to read:

938.207 **(1)** (a) The home of a parent or guardian, except that a juvenile may not be held in the home of a parent or guardian if the parent or guardian has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the juvenile, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would

be in the best interests of the juvenile. The person making the custody decision shall consider the wishes of the juvenile in making that determination.

SECTION 3130r. 938.207 (1) (b) of the statutes is amended to read:

938.207 **(1)** (b) The home of a relative, except that a juvenile may not be held in the home of a relative if the relative has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the juvenile, and the conviction has not been reversed, set aside or vacated, unless the person making the custody decision determines by clear and convincing evidence that the placement would be in the best interests of the juvenile. The person making the custody decision shall consider the wishes of the juvenile in making that determination.

SECTION 3131d. 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.

Vetoed In Part

SECTION 3131m. 938.21 (3) (d) of the statutes is amended to read:

938.21 **(3)** (d) Prior to the commencement of the hearing, the parent, guardian or legal custodian shall be informed by the court of the allegations that have been made or may be made, the nature and possible consequences of this hearing as compared to possible future hearings, the right to counsel under s. 938.23 regardless of ability to pay, the right to confront and cross–examine witnesses and the right to present witnesses.

SECTION 3132d. 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 3133d. 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 secured group home or 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 3134d. 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 3135d. 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 3136d. 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 3137d. 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 3138d. 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 3139d. 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 3140d. 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 3141d. 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 3142d. 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 3142g. 938.23 (2) of the statutes is created to read: **Vetoed In Part**

938.23 **(2)** (a) Whenever a juvenile is alleged to be in need of protection or services under s. 938.13, any parent under 18 years of age who appears before the court shall be represented by counsel; but no such parent may waive counsel.

(b) If a petition under s. 938.13 is contested, no juvenile may be placed outside his or her home unless the nonpetitioning parent is represented by counsel at the fact–finding hearing and subsequent proceedings. If the petition is not contested, the juvenile may not be placed outside his or her home unless the nonpetitioning parent is represented by counsel at the hearing at which the placement is made. A parent who is required under this paragraph to be represented by counsel may, however, waive counsel if the court is satisfied that such waiver is knowingly and voluntarily made, and the court may place the juvenile outside the home even though the parent was not represented by counsel.

SECTION 3142m. 938.23 (3) of the statutes is amended to read:

938.23 **(3)** POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings under s. 938.13, at~~ At any time, upon request or on its own motion, the court may appoint counsel for the juvenile or any party, unless the juvenile or the party has or wishes to retain counsel of his or her own choosing. ~~The court may not appoint counsel for any party other than the juvenile in a proceeding under s. 938.13.~~

SECTION 3142p. 938.23 (4) of the statutes is amended to read:

938.23 **(4)** PROVIDING COUNSEL. In any situation under this section in which a ~~person~~ juvenile has a right to be represented by counsel or is provided counsel at the discretion of the court and counsel is not knowingly and voluntarily waived, the court shall refer the ~~person~~ juvenile to the state public defender and counsel shall be appointed by the state public defender under s. 977.08 without a determination of indigency. In any situation under sub. (2) in which a parent 18 years of age or over is entitled to representation by counsel; counsel is not knowingly and voluntarily waived; and it appears that the parent is unable to afford counsel in full, or the parent so indicates; the court shall refer the parent to the authority for indigency determinations specified in s. 977.01 (1). **Vetoed In Part** In any other situation under this section in which a person has a right to be represented by counsel or is provided

counsel at the discretion of the court, competent and independent counsel shall be provided and reimbursed in any manner suitable to the court regardless of the person's ability to pay, except that the court may not order a person who files a petition under s. 813.122 or 813.125 to reimburse counsel for the juvenile who is named as the respondent in that petition.

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.

Vetoed In Part

SECTION 3143m. 938.243 (1) (e) of the statutes is amended to read:

938.243 **(1)** (e) The right ~~of the juvenile~~ to counsel under s. 938.23.

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 3148m. 938.27 (4) (b) of the statutes is amended to read: **Vetoed In Part**

938.27 **(4)** (b) Advise the juvenile and any other party, if applicable, of his or her right to legal counsel regardless of ability to pay.

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 3151d. 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 or a secured group home 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 3152d. 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 or a secured group home is not appropriate.

SECTION 3153d. 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 or a secured group home 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 3153p. 938.34 (3) (a) of the statutes is amended to read:

938.34 **(3)** (a) The home of a parent or other relative of the juvenile, except that the court may not designate the home of a parent or other relative of the juvenile as the juvenile's placement if the parent or other relative has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the juvenile, and the conviction has not been reversed, set aside or vacated, unless the court determines by clear and convincing evidence that the placement would be in the best interests of the juvenile. The court shall consider the wishes of the juvenile in making that determination.

SECTION 3153r. 938.34 (3) (b) of the statutes is amended to read:

938.34 **(3)** (b) ~~A home which need not be~~ The home of a person who is not required to be licensed if placement is for less than 30 days, except that the court may not designate the name of a person who is not required to be licensed as the juvenile's placement if the person has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the juvenile, and the conviction has not been reversed, set aside or vacated, unless the court determines by clear and convincing evidence that the placement would be in the best interests of the juvenile. The court shall consider the wishes of the juvenile in making that determination.

SECTION 3154. 938.34 (3) (dm) of the statutes is repealed.

SECTION 3155d. 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 or a secured child caring institution under the supervision of the department or in a secured group home under the supervision of a county 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 under the supervision of the department or in a secured group home under the supervision of a county 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 3156d. 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 3157d. 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 3159b. 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, unless the forfeiture was imposed for violating an ordinance unrelated to the juvenile's operation of a motor vehicle, 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 3160d. 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 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. If a juvenile placed in a secured group home fails to pay the surcharge under par. (a), the county 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 3161b. 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, unless the forfeiture was imposed for violating an ordinance unrelated to the juvenile's operation of a motor vehicle, 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 3162d. 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 3163d. 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 3163k. 938.355 (3) of the statutes is renumbered 938.355 (3) (a) and amended to read:

938.355 **(3)** (a) ~~If~~ Except as provided in par. (b), if, after a hearing on the issue with due notice to the parent or guardian, the court finds that it would be in the best interest of the juvenile, the court may set reasonable rules of parental visitation.

SECTION 3163m. 938.355 (3) (b) of the statutes is created to read:

938.355 **(3)** (b) 1. Except as provided in subd. 2., the court may not grant visitation under par. (a) to a parent of a juvenile if the parent has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the juvenile's other parent, and the conviction has not been reversed, set aside or vacated.

1m. Except as provided in subd. 2., if a parent who is granted visitation rights with a juvenile under par. (a) is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the juvenile's other parent, and the conviction has not been reversed, set aside or vacated, the court shall issue an order prohibiting the parent from having visitation with the juvenile on petition of the juvenile, the guardian or legal custodian of the juvenile, a person or agency bound by the dispositional order or the district attorney or corporation counsel of the county in which the dispositional order was entered, or on the court's own motion, and on notice to the parent.

2. Subdivisions 1. and 1m. do not apply if the court determines by clear and convincing evidence that the visitation would be in the best interests of the juvenile. The court shall consider the wishes of the juvenile in making that determination.

SECTION 3164d. 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 (4m) have been met.

SECTION 3165k. 938.357 (4d) of the statutes is created to read:

938.357 **(4d)** (a) Except as provided in par. (b), the court may not change a juvenile's placement to a placement in the home of a person who has been convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of the juvenile, if the conviction has not been reversed, set aside or vacated.

(am) Except as provided in par (b), if a parent in whose home a juvenile is placed is convicted under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of the juvenile's other parent, and the conviction has not been reversed, set aside or vacated, the court shall change the juvenile's placement to a placement out of the home of the parent on petition of the juvenile, the guardian or legal custodian of the juvenile, a person or agency bound by the dispositional order or the district attorney or corporation counsel of the county in which the dispositional order was entered, or on the court's own motion, and on notice to the parent.

(b) Paragraphs (a) and (am) do not apply if the court determines by clear and convincing evidence that the placement would be in the best interests of the juvenile. The court shall consider the wishes of the juvenile in making that determination.

SECTION 3166d. 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 3167d. 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 or secured group home 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 3168d. 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 or a secured group home whether or not an aftercare plan has been prepared under this subsection.

SECTION 3169d. 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 or a secured group home is necessary to protect the public, to provide for the juvenile's rehabilitation or to not depreciate the seriousness of the violation.

SECTION 3170d. 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 or a secured group home.

SECTION 3171d. 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 3171m. 938.396 (9) of the statutes is amended to read:

938.396 **(9)** Notwithstanding sub. (2) (a), if a juvenile is adjudged delinquent for committing a serious crime, as defined in s. 48.685 ~~(7) (a)~~ (1) (c), the court clerk shall notify the department of justice of that fact. No other information from the juvenile's court records may be disclosed to the department of justice except by order of the court. The department of justice may disclose any information provided under this subsection only as part of a criminal history record search under s. 48.685 (2) (am) 1. or (b) 1. a.

SECTION 3173d. 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 3174d. 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 3175d. 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 3175r. 938.532 (1) of the statutes is amended to read:

938.532 **(1)** PROGRAM. ~~The~~ From the appropriations under s. 20.410 (3) (bb) and (hm), the department shall provide a juvenile boot camp program for juveniles who have been placed under the supervision of the department under s. 938.183, 938.34 (4h) or (4m) or 938.357 (4).

SECTION 3176. 938.533 (2) of the statutes is amended to read:

938.533 **(2)** CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s. 20.410 (3) (hr), the department shall provide a corrective sanctions program to serve an average daily population of ~~106 juveniles in fiscal year 1997–98 and~~ 136 juveniles ~~in fiscal year 1998–99~~, or an average daily population of more than ~~106 juveniles in fiscal year 1997–98 and~~ 136 juveniles ~~in fiscal year 1998–99~~ if the appropriation under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions for the program are increased under s. 13.101 or 16.505 (2) or if funding and positions to serve more than ~~those~~ that average daily ~~populations~~ population are otherwise available, in not less than 3 counties, including Milwau-

kee 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 3176d. 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 3176e. 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 3176f. 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, secured group home, 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, secured group home, inpatient facility, secure detention facility or juvenile portion of a county jail for a specified time period and is absent from the facility, institution, home 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, home 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 3176m. 938.983 (title) of the statutes is renumbered 254.92 (title) and amended to read:

254.92 (title) **Purchase or possession of cigarettes or tobacco products by person under 18 prohibited.**

SECTION 3176n. 938.983 (1) of the statutes is repealed.

SECTION 3176p. 938.983 (2) (intro.), (a) and (c) of the statutes are consolidated, renumbered 254.92 (2) (intro.) and amended to read:

254.92 **(2)** (intro.) ~~Except as provided in sub. (3), no~~ No person under 18 years of age may ~~do any of the following: (a) Buy or~~ purchase, attempt to ~~buy any cigarette~~

~~or tobacco product. (c) Possess~~ purchase or possess any cigarette or tobacco product~~.~~ except as follows:

SECTION 3176q. 938.983 (2) (b) of the statutes is renumbered 254.92 (1) and amended to read:

254.92 **(1)** ~~Falsely~~ No person under 18 years of age may falsely represent his or her age for the purpose of receiving any cigarette or tobacco product.

SECTION 3176r. 938.983 (3) of the statutes is renumbered 254.92 (2) (a) and amended to read:

254.92 **(2)** (a) A person under 18 years of age may purchase or possess cigarettes or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer ~~licensed under s. 134.65 (1)~~.

SECTION 3176s. 938.983 (4) of the statutes is renumbered 254.92 (3) and amended to read:

254.92 **(3)** A law enforcement officer shall seize any cigarette or tobacco product ~~involved in any violation of sub. (2) committed in his or her presence~~ that has been sold to and is in the possession of a person under 18 years of age.

SECTION 3176t. 938.983 (5) of the statutes is repealed.

SECTION 3188d. 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), or a secured group home, as defined in s. 938.02 (15p), 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 3189d. 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 3189m. 940.295 (1) (q) of the statutes is repealed.

SECTION 3189n. 940.295 (2) (j) of the statutes is repealed and recreated to read:

940.295 **(2)** (j) The Wisconsin School for the Deaf under s. 115.52 and the Wisconsin Center for the Blind and Visually Impaired under s. 115.525.

SECTION 3190t. 943.13 (4m) (c) of the statutes is created to read:

943.13 **(4m)** (c) A person entering or remaining on any exposed shore area of a stream as authorized under s. 30.134.

SECTION 3191. 944.21 (8) (b) 3. a. of the statutes is amended to read:

944.21 **(8)** (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or (h)~~ 45.54 (1) (e) 6., 7. or 8.; and

SECTION 3191bd. 945.03 of the statutes is renumbered 945.03 (1m), and 945.03 (1m) (intro.), as renumbered, is amended to read:

945.03 **(1m)** (intro.) Whoever intentionally does any of the following is engaged in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E felony:

SECTION 3191bf. 945.03 (2m) of the statutes is created to read:

945.03 **(2m)** If the violation of sub. (1m) involves the possession, operation, set up, collection of proceeds, participation in earnings or maintenance of, or involves acting as the custodian of anything of value bet or offered to be bet on, not more than 5 video gambling machines on premises for which a Class "B" or "Class B" license or permit has been issued under ch. 125, the person may be penalized as follows:

(a) If the violation involves one video gambling machine, the person may be required to forfeit not more than $500.

(b) If the violation involves 2 video gambling machines, the person may be required to forfeit not more than $1,000.

(c) If the violation involves 3 video gambling machines, the person may be required to forfeit not more than $1,500.

(d) If the violation involves 4 video gambling machines, the person may be required to forfeit not more than $2,000.

(e) If the violation involves 5 video gambling machines, the person may be required to forfeit not more than $2,500.

SECTION 3191bh. 945.04 of the statutes is renumbered 945.04 (1m), and 945.04 (1m) (intro.), as renumbered, is amended to read:

945.04 **(1m)** (intro.) ~~Whoever~~ Except as provided in sub. (2m), whoever intentionally does any of the following is guilty of a Class A misdemeanor:

SECTION 3191bj. 945.04 (2m) of the statutes is created to read:

945.04 **(2m)** If the violation of sub. (1m) involves the set up or use of not more than 5 video gambling machines on premises for which a Class "B" or "Class B" license or permit has been issued under ch. 125, the person may be penalized as follows:

(a) If the violation involves one video gambling machine, the person may be required to forfeit not more than $500.

(b) If the violation involves 2 video gambling machines, the person may be required to forfeit not more than $1,000

(c) If the violation involves 3 video gambling machines, the person may be required to forfeit not more than $1,500.

(d) If the violation involves 4 video gambling machines, the person may be required to forfeit not more than $2,000

(e) If the violation involves 5 video gambling machines, the person may be required to forfeit not more than $2,500.

SECTION 3191bm. 945.041 (11) of the statutes is created to read:

945.041 **(11)** No proceeding under this section may be commenced to revoke a Class "B" or "Class B" license or permit issued under ch. 125 to a person solely because the person knowingly permits 5 or fewer video gambling machines to be set up, kept, managed, used or conducted upon the licensed premises.

SECTION 3191bn. 945.05 (1) (intro.) of the statutes is amended to read:

945.05 **(1)** (intro.) ~~Whoever~~ Except as provided in subs. (1e) and (1m), whoever manufactures, transfers commercially or possesses with intent to transfer commercially either of the following is guilty of a Class E felony:

SECTION 3191bo. 945.05 (1e) of the statutes is created to read:

945.05 **(1e)** Subsection (1) does not apply to a person who manufactures, transfers commercially or possesses with intent to transfer commercially gambling devices described in sub. (1) (a) and (b) to a nonprofit or public educational institution that provides an educational program for which it awards a bachelor's or higher degree for the use in a casino gaming management class.

SECTION 3191bp. 945.05 (1m) of the statutes is created to read:

945.05 **(1m)** If a violation of sub. (1) involves the commercial transfer of a video gambling machine or possession of a video gambling machine with the intent to transfer commercially, the person is subject to a Class C forfeiture.

SECTION 3191c. 946.13 (10) of the statutes is amended to read:

946.13 **(10)** Subsection (1) (a) does not apply to a member of a ~~private industry council or appointed under the job training partnership act, 29 USC 1512,~~ local workforce development board established under 29 USC 2832 or to a member of the ~~governor's council on workforce excellence appointed under s. 15.227 (24)~~ council on workforce investment established under 29 USC 2821.

SECTION 3191d. 946.15 (1) of the statutes is amended to read: **Vetoed In Part**

946.15 **(1)** Any employer, or any agent or employe of an employer, who induces any person who seeks to be or is employed pursuant to a public contract as defined in s. 66.29 (1) (c) or who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to give up, waive or return any part of the compensation to which that person is entitled under his or her contract of employment or under the prevailing wage rate determination issued by the department or local governmental unit, or who reduces the hourly basic rate of pay normally paid to an employe for work on a project on which a prevailing wage rate determination has not been issued under s. 20.924 (1) (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in which the employe works both on a project on which a prevailing wage rate determination has been issued and on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class E felony.

SECTION 3191e. 946.15 (2) of the statutes is amended to read:

946.15 **(2)** Any person employed pursuant to a public contract as defined in s. 66.29 (1) (c) or employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) who gives up, waives or returns to the employer or agent of the employer any part of the compensation to which the employe is entitled under his or her contract of employment or under the prevailing wage determination issued by the department or local governmental unit, or who gives up any part of the compensation to which he or she is normally entitled for work on a project on which a prevailing wage rate determination has not been issued under s. 20.924 (1) (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in which the person works part–time on a project on which a prevailing wage rate determination has been issued and part–time on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class C misdemeanor.

SECTION 3191f. 946.15 (3) of the statutes is amended to read:

946.15 **(3)** Any employer or labor organization, or any agent or employe of an employer or labor orga-

Vetoed In Part

nization, who induces any person who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to permit any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from the person's pay is guilty of a Class E felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

Vetoed In Part

SECTION 3191g. 946.15 (4) of the statutes is amended to read:

946.15 **(4)** Any person employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 20.924 (1) (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) who permits any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from his or her pay is guilty of a Class C misdemeanor, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

SECTION 3192d. 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 3193d. 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 3194d. 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 3195d. 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 3196d. 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 3196m. 946.82 (4) of the statutes is amended to read:

946.82 **(4)** "Racketeering activity" means any activity specified in 18 USC 1961 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637, 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d), 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30, 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64,

946.65, 946.72, 946.76, 947.015, 948.05, 948.08, 948.12 and 948.30.

SECTION 3197. 948.11 (4) (b) 3. a. of the statutes is amended to read:

948.11 **(4)** (b) 3. a. Is a technical college, is a school approved by the educational approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or (h)~~ 45.54 (1) (e) 6., 7. or 8.; and

SECTION 3197c. 948.22 (7) (bm) of the statutes is amended to read:

948.22 **(7)** (bm) Upon request, the court may modify the amount of child or spousal support payments determined under par. (b) 2. if, after considering the factors listed in s. 767.25 (1m) ~~or 767.51 (5)~~, regardless of the fact that the action is not one for a determination of paternity or an action specified in s. 767.25 (1), the court finds, by the greater weight of the credible evidence, that the use of the percentage standard is unfair to the child or to either of the child's parents.

Vetoed In Part

SECTION 3197j. 948.24 (1) (b) of the statutes is amended to read:

948.24 **(1)** (b) For anything of value, solicits, negotiates or arranges the placement of a child for adoption except under s. 48.833 (1).

SECTION 3198. 949.08 (2) (g) of the statutes is repealed and recreated to read:

949.08 **(2)** (g) Is included on the statewide support lien docket under s. 49.854 (2) (b), unless the victim provides to the department a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 3198m. 950.04 (1v) (xm) of the statutes is amended to read:

950.04 **(1v)** (xm) To have the department of health and family services make a reasonable attempt to notify the victim under s. 980.11 regarding supervised release under s. ~~980.06~~ 980.08 and discharge under s. 980.09 or 980.10.

SECTION 3199. 950.06 (2) of the statutes is amended to read:

950.06 **(2)** The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the appropriation under s. 20.455 (5) (k), (kk) and (kp) and, on a semiannual basis, from the appropriations under s. 20.455 (5) (c) and (g).

SECTION 3200. 950.06 (5) of the statutes is amended to read:

950.06 **(5)** The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under ~~s. 20.455 (5) (c) and (g)~~ sub. (2) if the county fails to comply with its duties under this section. The department shall promulgate rules under ch. 227 for implementing and administering county programs approved under this section.

SECTION 3201d. 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 3202c. 973.032 (2) (b) of the statutes is amended to read:

973.032 **(2)** (b) Notwithstanding par. (a), a court may not sentence a person under sub. (1) if he or she is convicted of a felony punishable by life imprisonment or has at any time been convicted, adjudicated delinquent or found not guilty or not responsible by reason of insanity or mental disease, defect or illness for committing a violent offense, as defined in s. 301.048 (2) (bm).

SECTION 3202e. 973.046 (1) (intro.) of the statutes is renumbered 973.046 (1r) and amended to read:

973.046 **(1r)** If a court imposes a sentence or places a person on probation ~~under any of the following circumstances~~ for a violation of s. 940.225, 948.02 (1) or (2) or 948.025, the court shall impose a deoxyribonucleic acid analysis surcharge of $250~~:~~.

SECTION 3202f. 973.046 (1) (a) of the statutes is repealed.

SECTION 3202g. 973.046 (1) (b) of the statutes is repealed.

SECTION 3202h. 973.046 (1g) of the statutes is created to read:

973.046 **(1g)** Except as provided in sub. (1r), if a court imposes a sentence or places a person on probation for a felony conviction, the court may impose a deoxyribonucleic acid analysis surcharge of $250.

SECTION 3202k. 973.047 (1) (a) of the statutes is renumbered 973.047 (1f) and amended to read:

973.047 **(1f)** If a court imposes a sentence or places a person on probation for a ~~violation of s. 940.225, 948.02 (1) or (2) or 948.025~~ felony conviction, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

SECTION 3202L. 973.047 (1) (b) of the statutes is repealed.

SECTION 3202m. 973.047 (1) (c) of the statutes is renumbered 973.047 (1m) and amended to read:

973.047 **(1m)** The results from deoxyribonucleic acid analysis of a specimen provided under ~~par. (a) or (b)~~ this section may be used only as authorized under s. 165.77 (3). The state crime laboratories shall destroy any such specimen in accordance with s. 165.77 (3).

SECTION 3202p. 973.047 (2) of the statutes is amended to read:

973.047 **(2)** The department of justice shall promulgate rules providing for procedures for defendants to provide specimens when required to do so under ~~sub. (1)~~ this section and for the transportation of those specimens to the state crime laboratories for analysis under s. 165.77.

SECTION 3203. 973.05 (1) of the statutes is amended to read:

973.05 **(1)** When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime victim and witness assistance surcharge under s. 973.045, the crime laboratories and drug law enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid analysis surcharge under s. 973.046, any applicable drug abuse program improvement surcharge imposed by s. 961.41 (5), any applicable consumer information assessment imposed by s. 100.261, any applicable domestic abuse assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable enforcement assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any applicable environmental assessment imposed by s. 299.93, any applicable wild animal protection assessment imposed by s. 29.983, any applicable natural resources assessment imposed by s. 29.987 and any applicable natural resources restitution payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, the crime laboratories and drug law enforcement assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse program improvement surcharge, any applicable consumer information assessment, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable enforcement assessment, any applicable weapons assessment, any applicable uninsured employer assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

SECTION 3204. 973.05 (2) of the statutes is amended to read:

973.05 **(2)** When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, the crime laboratories and drug law enforcement assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse program improvement surcharge, any applicable consumer information assessment, 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 unin-

sured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment and applicable natural resources restitution payments are not paid or community service work under s. 943.017 (3) is not completed as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, crime laboratories and drug law enforcement assessment, applicable deoxyribonucleic acid analysis surcharge, applicable drug abuse program improvement surcharge, applicable consumer information assessment, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment or applicable natural resources restitution payments are paid or discharged, or the community service work under s. 943.017 (3) is completed, for a period fixed by the court not to exceed 6 months.

SECTION 3205d. 973.09 (1) (d) of the statutes is renumbered 973.09 (1) (d) (intro.) and amended to read:

973.09 **(1)** (d) (intro.) If a person is convicted of an offense that provides a mandatory or presumptive minimum period of one year or less of imprisonment, a court may place the person on probation under par. (a) if the court requires, as a condition of probation, that the person be confined under sub. (4) for at least that mandatory or presumptive minimum period. The person is eligible to earn good time credit calculated under s. 302.43 regarding the period of confinement. This paragraph does not apply if the conviction is for any of the following:

1. A violation under s. 346.63 (1) that subjects the person to a mandatory minimum period of imprisonment under s. 346.65 (2) (b) or (c).

SECTION 3205e. 973.09 (1) (d) 2. of the statutes is created to read:

973.09 **(1)** (d) 2. A violation under s. 346.63 (2) or (6) that subjects the person to a mandatory minimum period of imprisonment under s. 346.65 (3m), if the person has a total of 3 or fewer convictions, suspensions or revocations counted under s. 343.307 (2).

SECTION 3205f. 973.09 (1) (d) 3. of the statutes is created to read:

973.09 **(1)** (d) 3. A violation under s. 346.63 (5) that subjects the person to a mandatory minimum period of imprisonment under s. 346.65 (2j) (c), if the person has a total of 3 or fewer convictions, suspensions or revocations counted under s. 343.307 (2).

SECTION 3206g. 977.08 (5) (b) of the statutes is repealed.

SECTION 3206h. 977.08 (5) (bn) (intro.) of the statutes is amended to read:

977.08 **(5)** (bn) (intro.) ~~Beginning on October 14, 1997, and ending on June 30, 1999~~ Except as provided in par. (br), any of the following constitutes an annual caseload standard for an assistant state public defender in the subunit responsible for trials:

SECTION 3206k. 977.08 (5) (bn) 1r. of the statutes is amended to read:

977.08 **(5)** (bn) 1r. Cases representing persons under ~~ss.~~ s. 980.05 ~~and 980.06~~: 15.

SECTION 3207. 977.08 (5) (br) of the statutes is created to read:

977.08 **(5)** (br) Beginning on July 1, 2000, the state public defender may exempt up to 10 full–time assistant state public defenders in the subunit responsible for trials from the annual caseload standards under par. (bn) based on their need to perform other assigned duties.

SECTION 3207r. 978.01 (2) (b) of the statutes is amended to read:

978.01 **(2)** (b) A district attorney serves on a part–time basis if his or her prosecutorial unit consists of Buffalo, Florence, ~~Forest,~~ Pepin, ~~Richland, Rusk,~~ Trempealeau or Vernon county.

SECTION 3207t. 978.03 (1) of the statutes is amended to read:

978.03 **(1)** The district attorney of any prosecutorial unit having a population of 500,000 or more may appoint ~~4~~ 5 deputy district attorneys and such assistant district attorneys as may be requested by the department of administration and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

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 3211p. 978.12 (5) (b) of the statutes is amended to read:

978.12 **(5)** (b) *Employes generally.* District attorneys and state employes of the office of district attorney shall be included within the provisions of the Wisconsin retirement system under ch. 40 as a participating employe of that office, except that the district attorney and state employes of the office of district attorney in a county having a population of 500,000 or more have the option provided under ~~par. (c)~~ s. 978.12 (5) (c), 1997 stats.

SECTION 3211r. 978.12 (5) (c) 5. of the statutes is repealed.

SECTION 3211t. 978.12 (6) of the statutes is renumbered 978.12 (6) (a) and amended to read:

978.12 **(6)** (a) District attorneys and state employes of the office of district attorney shall be included within all insurance benefit plans under ch. 40, except as authorized in this ~~subsection~~ paragraph. Alternatively, the state shall provide insurance benefit plans for district attorneys and state employes in the office of district attorney in the manner provided in this ~~subsection~~ paragraph. A district attorney or other employe of the office of district attorney who was employed in that office as a county employe on December 31, 1989, and who received any form of fringe benefits other than a retirement, deferred compensation or employe–funded reimbursement account plan as a county employe, as defined by that county pursuant to the county's personnel policies, or pursuant to a collective bargaining agreement in effect on January 1, 1990, or the most recent collective bargaining agreement covering represented employes who are not covered by such an agreement, may elect to continue to be covered under all such fringe benefit plans provided by the county after becoming a state employe. In a county having a population of 500,000 or more, the fringe benefit plans shall include health insurance benefits fully paid by the county for each retired employe who, on or after December 31, 1989, attains at least 15 years of service in the office of district attorney of that county, whether or not the service is as a county employe, for the duration of the employe's life. An employe may make an election under this ~~subsection~~ paragraph no later than January 31, 1990, except that an employe who serves as an assistant district attorney in a county having a population of 500,000 or more may make an election under this ~~subsection~~ paragraph no later than March 1, 1990. An election under this ~~subsection~~ paragraph shall be for the duration of the employe's employment in the office of district attorney for the same county by which the employe was employed or until the employe terminates the election under this ~~subsection~~ paragraph, at the same cost to the county as the county incurs for a similarly situated county employe. ~~If~~ Subject to par. (b), if the employer's cost for such fringe benefits for any such employe is less than or equal to the cost for comparable coverage under ch. 40, if any, the state shall reimburse the county for that cost. ~~If~~ Subject to par. (b), if the employer's cost for such fringe benefits for any such employe is greater than the cost for comparable coverage under ch. 40, the state shall reimburse the county for the cost of comparable coverage under ch. 40 and the county shall pay the remainder of the cost. The cost of comparable coverage under ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employes in the office of the state public defender, as contained in budget determinations approved by the joint committee on finance or the legislature under the biennial budget act for the period during which the costs are incurred. An employe who makes the election under this ~~subsection~~ paragraph may terminate that election, and shall then be included within all insurance benefit plans under ch. 40, except that the department of employe trust funds may require prior written notice, not exceeding one year's duration, of an employe's intent to be included under any insurance benefit plan under ch. 40.

SECTION 3211v. 978.12 (6) (b) of the statutes is created to read:

978.12 **(6)** (b) Beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, the state shall in each fiscal year reduce its reimbursement of the employer's cost for fringe benefits under par. (a) by $80,000.

SECTION 3212. 978.13 (1) (b) of the statutes is amended to read:

978.13 **(1)** (b) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving felony violations under ch. 961. The state treasurer shall pay the amount authorized under this paragraph to the county treasurer pursuant to a voucher submitted by the district attorney to the department of administration from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph may not exceed ~~$70,500~~ $75,200 in the ~~1997–98~~ 1999–2000 fiscal year and ~~$73,000~~ $77,500 in the ~~1998–99~~ 2000–01 fiscal year.

SECTION 3213. 978.13 (1) (c) of the statutes is amended to read:

978.13 **(1)** (c) In counties having a population of 500,000 or more, the salary and fringe benefit costs of clerk positions in the district attorney's office necessary for the prosecution of violent crime cases primarily involving felony violations under s. 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall pay the amount authorized under this paragraph to the county treasurer pursuant to a voucher submitted by the district attorney to the secretary of administration from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph may not exceed ~~$88,500~~ $94,400 in the ~~1997–98~~ 1999–2000 fiscal year and ~~$91,600~~ $97,200 in the ~~1998–99~~ 2000–01 fiscal year.

SECTION 3213c. 978.13 (1) (d) of the statutes is created to read:

978.13 **(1)** (d) In counties having a population of 500,000 or more, the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving the unlawful possession or use of firearms. The state treasurer shall pay the amount authorized under this paragraph to the county treasurer from the appropriation under s. 20.475 (1) (f) pursuant to a voucher submitted by the district attorney to the department of administration. The amount paid under this paragraph may not exceed $51,300 in the 1999–2000 fiscal year and $64,400 in the 2000–01 fiscal year.

SECTION 3216d. 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 3217d. 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 3218d. 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 3219d. 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 3220d. 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 profes-

sional 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 3222d. 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 3223c. 980.05 (6) of the statutes is repealed.

SECTION 3223h. 980.06 (1) of the statutes is renumbered 980.06 and amended to read:

980.06 Commitment. If a court or jury determines that the person who is the subject of a petition under s. 980.02 is a sexually violent person, the court shall order the person to be committed to the custody of the department for control, care and treatment until such time as the person is no longer a sexually violent person. A commitment order under this section shall specify that the person be placed in institutional care.

SECTION 3223i. 980.06 (2) (a) of the statutes is repealed.

SECTION 3223j. 980.06 (2) (b) of the statutes is repealed.

SECTION 3223k. 980.06 (2) (c) of the statutes is repealed.

SECTION 3223L. 980.06 (2) (d) of the statutes is renumbered 980.08 (6m) and amended to read:

980.08 **(6m)** An order for supervised release places the person in the custody and control of the department. The department shall arrange for control, care and treatment of the person in the least restrictive manner consistent with the requirements of the person and in accordance with the plan for supervised release approved by the court under sub. (5). A person on supervised release is subject to the conditions set by the court and to the rules of the department. Before a person is placed on supervised release by the court under this section, the court shall so notify the municipal police department and county sheriff for the municipality and county in which the person will be residing. The notification requirement under this ~~paragraph~~ subsection does not apply if a municipal police department or county sheriff submits to the court a written statement waiving the right to be notified. If the department alleges that a released person has violated any condition or rule, or that the safety of others requires that supervised release be revoked, he or she may be taken into custody under the rules of the department. The department shall submit a statement showing probable cause of the detention and a petition to revoke the order for supervised release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within ~~48~~ 72 hours after the detention, excluding Saturdays, Sundays and legal holidays. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department may detain the person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of others requires that supervised release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of others requires that supervised release be revoked, it may revoke the order for supervised release and order that the released person be placed in an appropriate institution until the person is discharged from the commitment under s. 980.09 or until again placed on supervised release under ~~s. 980.08~~ this section.

SECTION 3230m. 980.065 (1m) of the statutes is amended to read:

980.065 **(1m)** The department ~~may~~ shall place a person committed ~~to institutional care~~ under s. 980.06 ~~(2) (b)~~ at ~~a mental health unit or facility, including a~~ the secure mental health ~~unit or~~ facility ~~at~~ established under s. 46.055, the Wisconsin resource center established under

s. 46.056 or a secure mental health unit or facility provided by the department of corrections under sub. (2).

SECTION 3231m. 980.065 (2) of the statutes is amended to read:

980.065 **(2)** The department may contract with the department of corrections for the provision of a secure mental health unit or facility for persons committed ~~to institutional care~~ under s. 980.06 ~~(2) (b)~~. The department shall operate a secure mental health unit or facility provided by the department of corrections under this subsection and shall promulgate rules governing the custody and discipline of persons placed by the department in the secure mental health unit or facility provided by the department of corrections under this subsection.

SECTION 3232. 980.07 (1) of the statutes is amended to read:

980.07 **(1)** If a person has been committed under s. 980.06 and has not been discharged under s. 980.09, the department shall conduct an examination of his or her mental condition within 6 months after an initial commitment under s. 980.06 and again thereafter at least once each 12 months for the purpose of determining whether the person has made sufficient progress ~~to be entitled to transfer to a less restrictive facility, to~~ for the court to consider whether the person should be placed on supervised release or ~~to discharge~~ discharged. At the time of a reexamination under this section, the person who has been committed may retain or~~, if he or she is indigent and so requests,~~ seek to have the court ~~may~~ appoint ~~a qualified expert or a professional person to examine him or her~~ an examiner as provided under s. 980.03 (4).

SECTION 3232p. 980.08 (1) of the statutes is amended to read:

980.08 **(1)** Any person who is committed ~~to institutional care~~ under s. 980.06 may petition the committing court to modify its order by authorizing supervised release if at least ~~6~~ 18 months have elapsed since the initial commitment order was entered~~,~~ or at least 6 months have elapsed since the most recent release petition was denied or the most recent order for supervised release was revoked. The director of the facility at which the person is placed may file a petition under this subsection on the person's behalf at any time.

SECTION 3233. 980.08 (3) of the statutes is amended to read:

980.08 **(3)** Within 20 days after receipt of the petition, the court shall appoint one or more examiners having the specialized knowledge determined by the court to be appropriate, who shall examine the person and furnish a written report of the examination to the court within 30 days after appointment. The examiners shall have reasonable access to the person for purposes of examination and to the person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient health care records, as provided under s. 146.82 (2) (c). If any such examiner believes that the person is appropriate for supervised release under the criterion specified in sub. (4), the examiner shall report on the type of treatment and services that the person may need while in the community on supervised release. The county shall pay the costs of an examiner appointed under this subsection as provided under s. 51.20 (18) (a).

SECTION 3234m. 980.08 (4) of the statutes is amended to read:

980.08 **(4)** The court, without a jury, shall hear the petition within 30 days after the report of the court–appointed examiner is filed with the court, unless the petitioner waives this time limit. Expenses of proceedings under this subsection shall be paid as provided under s. 51.20 (18) (b), (c) and (d). The court shall grant the petition unless the state proves by clear and convincing evidence that the person is still a sexually violent person and that it is still substantially probable that the person will engage in acts of sexual violence if the person is not continued in institutional care. In making a decision under this subsection, the court may consider, without limitation because of enumeration, the nature and circumstances of the behavior that was the basis of the allegation in the petition under s. 980.02 (2) (a), the person's mental history and present mental condition, where the person will live, how the person will support himself or herself and what arrangements are available to ensure that the person has access to and will participate in necessary treatment, including pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen if the person is a serious child sex offender. A decision under this subsection on a petition filed by a person who is a serious child sex offender may not be made based on the fact that the person is a proper subject for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen or on the fact that the person is willing to participate in pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

SECTION 3238d. 980.08 (6) of the statutes is repealed.

SECTION 3238h. 980.09 (1) (c) of the statutes is amended to read:

980.09 **(1)** (c) If the court is satisfied that the state has not met its burden of proof under par. (b), the petitioner shall be discharged from the custody or supervision of the department. If the court is satisfied that the state has met its burden of proof under par. (b), the court may proceed ~~under s. 980.06~~ to determine, using the criterion specified in s. 980.08 (4), whether to modify the petitioner's existing commitment order by authorizing supervised release.

SECTION 3238j. 980.09 (2) (c) of the statutes is amended to read:

980.09 **(2)** (c) If the court is satisfied that the state has not met its burden of proof under par. (b), the person shall be discharged from the custody or supervision of the department. If the court is satisfied that the state has met

its burden of proof under par. (b), the court may proceed ~~under s. 980.06~~ to determine, using the criterion specified in s. 980.08 (4), whether to modify the person's existing commitment order by authorizing supervised release.

SECTION 3238t. 980.11 (2) (intro.) of the statutes is amended to read:

980.11 **(2)** (intro.) If the court places a person on supervised release under s. ~~980.06~~ 980.08 or discharges a person under s. 980.09 or 980.10, the department shall do all of the following:

SECTION 3239. 980.12 (1) of the statutes is amended to read:

980.12 **(1)** ~~The~~ Except as provided in ss. 980.03 (4) and 980.08 (3), the department shall pay from the appropriations under s. 20.435 (2) (a) and (bm) for all costs relating to the evaluation, treatment and care of persons evaluated or committed under this chapter.

SECTION 3239d. 980.12 (2) of the statutes is amended to read:

980.12 **(2)** By February 1, 2002, the department shall submit a report to the legislature under s. 13.172 (2) concerning the extent to which pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen has been required as a condition of supervised release under s. 980.06, 1997 stats., or s. 980.08 and the effectiveness of the treatment in the cases in which its use has been required.

SECTION 3240. 985.01 (1) of the statutes is renumbered 985.01 (1m).

SECTION 3241. 985.01 (1g) of the statutes is created to read:

985.01 **(1g)** "Governing body" has the meaning given in s. 345.05 (1) (b) and includes a family care district board under s. 46.2895.

SECTION 3242. 985.01 (3) of the statutes is amended to read:

985.01 **(3)** "Municipality" has the meaning in s. 345.05 (1) (c) and ~~"governing body" the meaning in s. 345.05 (1) (b) with reference to such municipality~~ includes a family care district under s. 46.2895.

Vetoed In Part

SECTION 3242g. 985.03 (1) (a) (intro.) of the statutes is amended to read:

985.03 **(1)** (a) (intro.) ~~No~~ Except as provided in par. (am), no publisher of any newspaper in this state shall be awarded or be entitled to any compensation or fee for the publishing of any legal notice unless, for at least 2 of the 5 years immediately before the date of the notice publication, the newspaper has been published regularly and continuously in the city, village or town where published, and has had a bona fide paid circulation:

SECTION 3242i. 985.03 (1) (a) 2. of the statutes is amended to read:

985.03 **(1)** (a) 2. That has had actual subscribers at each publication of not less than 1,000 copies in 1st and 2nd class cities, or 300 copies if in 3rd ~~and~~ class cities or 150 copies if in 4th class cities, villages or towns.

Vetoed In Part

SECTION 3242m. 985.03 (1) (am) of the statutes is created to read:

985.03 **(1)** (am) The requirement that, for a newspaper to receive any compensation or fee for publishing a legal notice, the newspaper be published regularly and continuously in the city, village or town where published for at least 2 of the 5 years immediately before the date of the notice publication does not apply to a newspaper publishing a legal notice at the request of a 4th class city, village or town.

SECTION 3243a. 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 for public park purposes or in aid of navigation and the fisheries, in any manner the said city may deem expedient~~, and particularly for the purpose of~~. Such land 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 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 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 3261d. 1997 Wisconsin Act 27, section 44d is repealed.

SECTION 3261dc. 1997 Wisconsin Act 27, section 59d is repealed.

SECTION 3261dd. 1997 Wisconsin Act 27, section 119d is repealed.

SECTION 3261ddc. 1997 Wisconsin Act 27, section 200d is repealed.

SECTION 3261dde. 1997 Wisconsin Act 27, section 204d is repealed.

SECTION 3261ddg. 1997 Wisconsin Act 27, section 205d is repealed.

SECTION 3261de. 1997 Wisconsin Act 27, section 750 is repealed.

SECTION 3261df. 1997 Wisconsin Act 27, section 1167d is repealed.

SECTION 3261dfb. 1997 Wisconsin Act 27, section 1664f is repealed.

SECTION 3261dfc. 1997 Wisconsin Act 27, section 2059f is repealed.

SECTION 3261dg. 1997 Wisconsin Act 27, section 3620m is repealed.

SECTION 3261dh. 1997 Wisconsin Act 27, section 4338c is repealed.

SECTION 3261dha. 1997 Wisconsin Act 27, section 4338e is repealed.

SECTION 3261dhb. 1997 Wisconsin Act 27, section 4338g is repealed.

SECTION 3261dhc. 1997 Wisconsin Act 27, section 4338i is repealed.

SECTION 3261di. 1997 Wisconsin Act 27, section 4349d is repealed.

SECTION 3261dj. 1997 Wisconsin Act 27, section 4497d is repealed.

SECTION 3261g. 1997 Wisconsin Act 27, section 9101 (11h) is repealed.

SECTION 3261m. 1997 Wisconsin Act 27, section 9107 (1) (b) 1. is amended to read:

[1997 Wisconsin Act 27] Section 9107 (1) (b)

1. *Projects financed by general fund supported borrowing:*

Probation and parole holding ~~facility/alcohol~~ and alcohol and other drug abuse treatment facility ~~to provide 600 beds~~ in ~~southeastern Wisconsin~~ the city of Milwaukee	$ 49,800,000
Medium security correctional facility or facilities to provide 1,000 beds	74,800,000
(Total project all funding sources $85,000,000)	
Green Bay Correctional Institution — expansion of segregation unit by 42 cells	500,000
Perimeter security enhancement at maximum security correctional institution under s. 301.16 (1n), stats.	750,000
Perimeter security improvement at Oakhill Correctional Institution	600,000
Ethan Allen School — gate house facility	990,000

SECTION 3261p. 1997 Wisconsin Act 27, section 9107 (2) is repealed.

SECTION 3262. 1997 Wisconsin Act 27, section 9410 (5g) is repealed.

SECTION 3262g. 1997 Wisconsin Act 27, section 9423 (9ptt) is repealed.

Vetoed In Part

SECTION 3262m. 1997 Wisconsin Act 27, section 9456 (3m) is amended to read:

[1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION BOARD ~~AND WISCONSIN LAND COUNCIL~~. The treatment of sections 15.07 (1) (b) 16., 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), ~~20.505 (1) (ka) (by SECTION 669am),~~ 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1) (e), 36.25 (12m) (intro.), 59.43 (2) (ag) 1. and (e), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2) and (4), 16.967 (title) and (1) to (9), 20.505 (1) (ie), (ig)~~,~~ and (ij) ~~and (ks)~~, 23.32 (2) (d), 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of the statutes and Section 9101 (1) of this act take effect on September 1, ~~2003~~ 2005.

SECTION 3262n. 1997 Wisconsin Act 27, section 9456 (3n) is created to read:

[1997 Wisconsin Act 27] Section 9456 (3n) ELIMINATION OF WISCONSIN LAND COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 669am) of the statutes and the repeal of sections 16.967 (10) and 20.505 (1) (ks) of the statutes take effect on September 1, 2003.

SECTION 3263. 1997 Wisconsin Act 84, section 168 (intro.) is amended to read:

[1997 Wisconsin Act 84] Section 168. **Effective dates.** (intro.) This act takes effect on the date stated in the notice published by the secretary of transportation in the Wisconsin Administrative Register under section 85.515 of the statutes, as created by this act, or on ~~the first day of the 25th month beginning after publication~~ May 1, 2001, whichever is earlier, except as follows:

SECTION 3264. 1997 Wisconsin Act 154, section 3 (1) is amended to read:

[1997 Wisconsin Act 154] Section 3 (1) STATEWIDE TRAUMA CARE SYSTEM; REPORT. The department of health and family services and the statewide trauma advisory council shall prepare a joint report on the development and implementation of a statewide trauma care system. The report shall make recommendations on issues that need to be resolved in developing and implementing the system, including minimum services in rendering patient care; transport protocols; area trauma advisory councils and plans; development of a method to classify hospitals as to their respective emergency care capabilities and methods to make the resulting information available for public use; improving the communications systems between hospitals and prehospital elements of the trauma care system; development of a statewide trauma registry, including a data system to measure the effectiveness of trauma care and to develop ways to promote ongoing quality improvement; triage; interfacility transfers; enhancing the training and education of health care personnel involved in the provision of trauma care services; and monitoring adherence to rules. Not later than January 1, ~~2000~~ 2001, the department and the statewide trauma advisory council shall submit the report to the legislature in the manner provided under section 13.172 (2) of the statutes, to the joint committee on finance of the legislature as provided in subsection (2), to the governor and to the emergency medical services board.

SECTION 9101. Nonstatutory provisions; administration.

(1mb) AUTHORIZED POSITIONS. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (4) (o) of the statutes, are increased by 1.0 FED position to administer learn and serve grants.

(1zt) INITIAL APPOINTMENTS TO COUNCIL ON UTILITY PUBLIC BENEFITS. Notwithstanding section 15.107 (17) (intro.) of the statutes, as created by this act, the initial members of the council on utility public benefits shall be appointed for the following terms:

(a) One of the members under section 15.107 (17) (a), (b) and (d) of the statutes, as created by this act, for terms expiring on July 1, 2001.

(b) One of the members under section 15.107 (17) (a) of the statutes, as created by this act, and the members under section 15.107 (17) (c), (e) and (f) of the statutes, as created by this act, for terms expiring on July 1, 2002.

(c) One of the members under section 15.107 (17) (b) and (d) of the statutes, as created by this act, and the members under section 15.107 (17) (g) and (h) of the statutes, as created by this act, for terms expiring on July 1, 2003.

(1zu) UTILITY PUBLIC BENEFITS AND TRANSMISSION LINE RULES.

Vetoed In Part

(a) Using the procedure under section 227.24 of the statutes, the department of administration shall, no later than 60 days after the effective date of this subsection, promulgate the rules required under section 16.957 (4) (b) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under that section, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. Notwithstanding section 16.957 (4) (b) (intro.) of the statutes, as created by this act, the department of administration is not required to consult with the council on utility public benefits in promulgating rules under this paragraph.

(am) Using the procedure under section 227.24 of the statutes, the department of administration shall promulgate the rules required under sections 16.957 (2) (c) and 16.969 (2) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under those sections, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

(b) The department of administration shall submit in proposed form the rules required under sections 16.957 (2) (c) and (4) (b) and 16.969 (2) 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 6th month beginning after the effective date of this paragraph.

(1zv) PUBLIC BENEFITS FEES.

(a) Notwithstanding section 16.957 (4) (c) 1. (intro.) of the statutes, as created by this act, the department of administration shall ensure that, for fiscal year 1999–2000, the portion of the public benefits fee that is specified in section 16.957 (4) (c) 1. (intro.) of the statutes, as created by this act, is reduced in proportion to the length of time that has elapsed in that fiscal year at the time that the rules specified in subsection (1zu) (a) become effective.

(b) Notwithstanding section 16.957 (4) (c) 2. of the statutes, as created by this act, the department of administration shall ensure that, for fiscal year 1999–2000, the portion of the public benefits fee that is specified in section 16.957 (4) (c) 2. of the statutes, as created by this act, is reduced in proportion to the length of time that has elapsed in that fiscal year at the time that the rules specified in subsection (1zu) (a) become effective.

(c) Notwithstanding section 16.957 (5) (a) of the statutes, as created by this act, for fiscal year 1999–2000, the annual average amount of the monthly public benefits fee that retail electric cooperatives and municipalities are required to charge to each customer or member shall be reduced in proportion to the length of time that has elapsed in that fiscal year as of the effective date of the rules promulgated under subsection (1zu) (a). Upon the request of a retail electric cooperative or municipality, the department of administration shall provide advice as to the amount of a reduction that is required under this paragraph.

(1zw) PHASE–IN OF WEATHERIZATION AND ENERGY CONSERVATION AWARDS. Notwithstanding section 16.957 (2) (a) (intro.) of the statutes, as created by this act, the department of administration shall do each of the following:

(a) Specify a schedule for fiscal years 1999–2000 and 2000–01 for phasing in the requirement to spend the amount specified in section 16.957 (2) (a) of the statutes, as created by this act, on weatherization and other energy conservation services.

(b) Ensure that grants under section 16.957 (2) (a) of the statutes, as created by this act, are made in accordance with the schedule specified in paragraph (a).

(2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend $83,600 in fiscal year 1999–2000 and $87,800 in fiscal year 2000–01 to provide the multijurisdictional enforcement group serving Dane County with funding for one assistant district attorney to prosecute criminal violations of chapter 961 of the statutes.

(3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend $263,000 in fiscal year 1999–2000 and $271,300 in fiscal year 2000–01 to provide the multijurisdictional enforcement group serving Milwaukee County with funding for 3 assistant district attorneys to prosecute criminal violations of chapter 961 of the statutes.

(3c) REIMBURSEMENT TO MILWAUKEE COUNTY FOR COMPUTER PURCHASE. From the appropriation under section 20.475 (1) (f) of the statutes, as created by this act, the department of administration shall reimburse Milwaukee County $12,000 in fiscal year 1999–2000 for the cost of purchasing computers to be used by prosecutors in the district attorney's office handling cases involving the unlawful possession or use of firearms and by the clerks providing clerical services to those prosecutors.

Vetoed In Part

(3d) DISTRICT ATTORNEY POSITION REALLOCATIONS.

(a) *Increased allocations.* Of the authorized FTE GPR assistant district attorney positions for the department of administration funded from the appropriation under section 20.475 (1) (d) of the statutes, the number of positions allocated to the following prosecutorial units shall be increased as follows: 1.0 position for Sauk County, to be assigned to serve Columbia, Marquette and Sauk counties; and 0.5 position for La Crosse County.

(b) *Decreased allocations.* Of the authorized FTE GPR assistant district attorney positions for the department of administration funded from the appropriation under section 20.475 (1) (d) of the statutes, the number of positions allocated to the following prosecutorial units shall be decreased as follows: 1.25 positions for Milwaukee County; and 0.5 position for Columbia County.

(3x) REGULATION OF MOBILE HOME PARKS, MOBILE HOME DEALERS AND MOBILE HOME SALESPERSONS.

(a) *Employe transfers.* There are transferred from the department of administration to the department of commerce 3.0 FTE incumbent employes holding positions in the division of housing in the department of administration performing duties that are primarily related to regulating mobile home parks, mobile home dealers and mobile home salespersons.

(b) *Employe status.* Employes transferred under paragraph (a) have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of commerce that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employ so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Rules and orders.* All rules promulgated by the department of administration primarily related to mobile home parks, mobile home dealers and mobile home salespersons that are in effect on the effective date of this paragraph shall become rules of the department of commerce and shall remain in effect until their specified expiration dates or until amended or repealed by the department of commerce. All orders issued by the department of administration primarily related to mobile home parks, mobile home dealers and mobile home salespersons that are in effect on the effective date of this paragraph shall become orders of the department of commerce and shall remain in effect until their specified expiration dates or until modified or rescinded by the department of commerce.

(d) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department administration primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, shall become the assets and liabilities of the department of commerce.

(e) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, is transferred to the department of commerce.

(f) *Contracts.* All contracts entered into by the department of administration in effect on the effective date of this paragraph that are primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, remain in effect and are transferred to the department of commerce. The department of commerce shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of commerce to the extent allowed under the contract.

(g) *Pending matters.* Any matter pending with the department of administration on the effective date of this paragraph that is primarily related to the regulation of mobile home parks, mobile home dealers and mobile home salespersons, as determined by the secretary of administration, is transferred to the department of commerce and all materials submitted to or actions taken by the department of administration with respect to the pending matter are considered as having been submitted to or taken by the department of commerce.

(4) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

(a) In any case in which the district attorney files a sexually violent person petition under section 980.02 (1) (b) of the statutes on or after the effective date of this paragraph but before July 1, 2001, the district attorney shall maintain a record of the amount of time spent by the district attorney and by any deputy district attorneys or assistant district attorneys doing all of the following:

1. Prosecuting the petition through trial under section 980.05 of the statutes and, if applicable, commitment of the person subject to the petition under section 980.06 of the statutes, as affected by this act.

2. If applicable, representing the state on petitions brought by the person who is the subject of the petition for supervised release under section 980.08 of the statutes, as affected by this act, or for discharge under section 980.09 or 980.10 of the statutes.

(b) Annually, on a date specified by the department of administration, the district attorney shall submit to the department of administration a report summarizing the records under paragraph (a) covering the preceding 12–month period. The department of administration shall maintain the information submitted under this paragraph by district attorneys.

(5) PURCHASE, REPLACEMENT AND MAINTENANCE OF STATE CRIME LABORATORY EQUIPMENT. The secretary of administration shall allocate $254,700 in fiscal year 1999–2000 and $254,700 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of justice with funding for the purchase, replacement and maintenance of state crime laboratory equipment.

Vetoed In Part

(5g) WAUSAU CRIME LABORATORY EXPANSION. The department of administration shall study the feasibility of expanding the state crime laboratory in the city of Wausau and shall develop a plan for providing space for the deoxyribonucleic acid and serology unit that is proposed to be located at the laboratory. No later than December 31, 1999, the department shall submit a report to the legislature presenting the results of the study and the plan it has developed. The report shall be submitted to the legislature in the manner provided in section 13.172 (2) of the statutes.

(6) PURCHASE OF EQUIPMENT OF DEOXYRIBONUCLEIC ACID ANALYSIS. In fiscal year 1999–2000, the secretary of administration shall allocate $226,800 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of justice with funding for the purchase of equipment for analyzing deoxyribonucleic acid using the short tandem repeat method.

(7) CONVERSION OF DEOXYRIBONUCLEIC ACID DATA BANK. In fiscal year 1999–2000, the secretary of administration shall allocate $450,000 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of justice with funding for converting the deoxyribonucleic acid data bank under section 165.77 (3) of the statutes to make it compatible with the short tandem repeat method of deoxyribonucleic acid analysis.

Vetoed In Part Vetoed In Part Vetoed In Part

(7f) REPORT ON GRANTS SPECIALIST POSITION. The office of justice assistance in the department of administration shall prepare a report detailing the accomplishments of the project position in the office of justice assistance that is responsible for developing directories of federal and private funding resources, disseminating information to state and local government agencies on funding opportunities, assisting in the preparation of applications for funding or other proposals that may secure federal or private funds, and training state and local government agencies and nonprofit agencies in the process of seeking grants. The report shall include a list of federal and private grants received by state and local government agencies that are attributable to the position's efforts. The office of justice assistance shall, no later than January 1, 2001, submit the report to the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed In Part

(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 col-

lege tuition prepayment program, as determined by the secretary of administration, remain in effect until their specified expiration date or until modified or rescinded by the state treasurer.

(g) *Pending matters.* Any matters pending with the department of administration on the effective date of this paragraph that are primarily related to the administration of the college tuition prepayment program, as determined by the secretary of administration, are transferred to the state treasurer and all materials submitted to or actions taken by the department of administration with respect to the pending matters are considered as having been submitted or taken by the state treasurer.

(10g) OPERATIONS OF AND EQUIPMENT FOR AUTOMATED JUSTICE INFORMATION SYSTEMS. The secretary of administration shall allocate $729,800 in fiscal year 1999–2000 and $2,024,100 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to fund the general operations of the department of administration relating to automated justice information systems and equipment for automated justice information systems.

(11d) PILOT LITERACY PROGRAMS. In fiscal year 2000–01, the secretary of administration shall allocate $150,000 from the appropriation under section 20.505 (6) (pb) of the statutes to award grants on a competitive basis to 6 counties for pilot literacy programs in jails or houses of corrections. To be eligible for a grant under this subsection, a county must pay at least 25% of the total cost of its pilot literacy program.

(12) DEPARTMENT OF CORRECTIONS ALCOHOL AND OTHER DRUG ABUSE PROGRAMS. The secretary of administration shall allocate $1,000,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to fund alcohol and other drug abuse programs in the department of corrections.

(13) DEPARTMENT OF CORRECTIONS INFORMATION TECHNOLOGY. The secretary of administration shall allocate $533,300 in fiscal year 1999–2000 and $1,200,000 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide the department of corrections with funding for information technology.

(14) REIMBURSEMENT TO COUNTIES FOR CRIME VICTIM AND WITNESS SERVICES. The secretary of administration shall allocate $850,800 in fiscal year 1999–2000 and $850,800 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes to provide reimbursement to counties for providing services to victims and witnesses of crime.

(14yt) REPORT CONCERNING FEDERAL FUNDING FOR LEAKING UNDERGROUND STORAGE TANKS. The secretary of administration shall report to the joint committee on finance on how federal funds related to leaking underground storage tanks should be allocated between the department of commerce and the department of natural resources. The secretary shall submit the report for review and approval, modification or disapproval by the committee at its 4th quarterly meeting under section 13.10 of the statutes in 1999.

Vetoed In Part

(17x) TRIBAL GAMING COMPUTER SYSTEM. The department of administration may not encumber or expend moneys appropriated to it under section 20.505 (8) (hm) of the statutes, as created in this act, for the purposes of a tribal gaming computer system to receive and process slot machine accounting data unless the department submits to the joint committee on finance a report on the costs associated with the computer system. If the cochairpersons of the committee do not notify the secretary within 14 working days after the date of the department's submittal of the report that the committee has scheduled a meeting for the purpose of reviewing the report, the secretary of administration shall direct that the moneys may be encumbered or expended. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the report, the moneys may be encumbered or expended only upon approval of the report by the committee.

(18) DETERMINATION OF COSTS FOR PAY RATE OR RANGE ADJUSTMENTS FOR CERTAIN EMPLOYES OF THE DEPARTMENTS OF CORRECTIONS AND HEALTH AND FAMILY SERVICES. During the 1999–2001 fiscal biennium, the secretary of administration shall determine which costs of the departments of corrections and health and family services may be supplemented from the appropriation accounts under section 20.865 (1) (cb) and (ib) of the statutes, as created by this act.

(18ag) INFORMATION TECHNOLOGY SUPPORT. The department of administration shall cooperate with the ethics board with respect to information technology support and shall provide information technology support to the ethics board to effect implementation of the requirements imposed under sections 13.67 and 13.68 (1) (bn) of the statutes, as affected by this act.

(18d) FEDERAL RESOURCE ACQUISITION FINANCIAL PLAN. The department of administration shall transmit to the joint committee on finance a long–term financial plan for the operation by the department of the federal resource acquisition program under section 16.98 of the statutes.

(18i) STUDY OF NEW PRODUCTION BAKERY. The department of administration shall conduct a study of the desirability of constructing a new production bakery for

the department of corrections to produce breads and other baked products for institutions in southeastern Wisconsin. The study shall address the specific size of the proposed facility; the potential customers of the proposed facility, including governmental entities other than the state; and the operational details of the proposed facility, including the method of funding and staffing of the proposed facility, the projected revenues and expenditures of the proposed facility and any offsetting reductions in costs of the departments of corrections, health and family services, public instruction and veterans affairs that may be realized as a result of construction and operation of the proposed facility.

Vetoed In Part

(18m) ADMINISTRATION OF MEDICAL ASSISTANCE. By the date specified by the cochairpersons of the joint committee on finance for submission of requests for consideration at the last quarterly meeting of the committee in calendar year 1999, the secretary of administration shall submit a report to the joint committee on finance that specifies the position and funding modifications needed to transfer all administrative functions related to medical assistance, including administration of the client assistance for reemployment and economic support system, either in whole, or, if possible, only with respect to medical assistance, from the department of workforce development to the department of health and family services. The secretary shall also identify in the report any administrative issues that the committee should consider with respect to the transfer.

Vetoed In Part

(18v) DEPARTMENT OF REVENUE BUILDING CONSTRUCTION REQUIREMENTS. The department of administration shall, to the extent practicable, ensure that the department of revenue building enumerated under SECTION 9107 (1) (a) of this act is constructed in a manner that is consistent with the requirements imposed under section 20.924 (1) (j) 2. and 3. of the statutes, as created by this act.

(18w) REPORT ON USE OF MULTISTATE ELECTRONIC PROCUREMENT SYSTEMS. Prior to December 31, 1999, the department of administration shall submit a report to the joint committee on finance concerning the operation of multistate electronic procurement systems. The report shall include information concerning the current status of multistate electronic procurement systems available for potential use by this state, the estimated costs and benefits of use of such a system by this state and the changes in current law and funding that would be required for participation by this state in such a system.

(18zo) SMART GROWTH DIVIDEND AID PROGRAM.

(a) Notwithstanding section 16.42 (1) of the statutes, the secretary of administration shall propose under section 16.42 of the statutes, jointly with the secretary of revenue, a smart growth dividend aid program in his or her budget request for fiscal biennium 2001–03, with the first grants to be distributed in fiscal year 2005–06. The proposal shall prescribe a method of distributing aid to cities, villages, towns and counties that meet all of the following requirements:

1. To be eligible to receive aid, a city, village, town or county must have in effect a comprehensive plan, as defined in section 66.0295 (1) (a) of the statutes, as created by this act, that the department of administration and the land council determine meets the provisions specified in section 16.965 (4) of the statutes, as created by this act, and the city, village, town or county must have taken steps to implement the plan.

2. To be eligible to receive aid a city, village, town or county must have in effect zoning ordinances and subdivision regulations, as described in section 66.0295 (3) (h), (j), (k) and (L) of the statutes, as created by this act, that are consistent with the comprehensive plan.

(b) The proposal shall include a provision requiring the land council to approve or disapprove grant applications within 60 days of submission.

(c) The proposal shall specify that a city, village, town or county shall receive one aid credit for each new housing unit that was sold or rented, on lots that are no more than one–quarter acre, in the year before the year in which the grant application is made. The proposal shall also specify that a city, village, town or county shall receive one credit for each new housing unit that was sold at no more than 80% of the median sale price for new homes in the county in which the city, village or town is located or primarily located in the year before the year in which the grant application is made. Grants shall be awarded based on the number of credits that a city, village, town or county receives in the year to which its application relates.

Vetoed In Part

(19f) CALCULATION OF FEDERAL INTEREST REIMBURSEMENTS. No later than the first day of the 2nd month beginning after the effective date of this subsection, the secretary of administration shall calculate the amount of moneys received by the state as interest reimbursements from the federal government less the amounts paid by the state to the federal government as interest reimbursements before the effective date of this subsection.

(19g) POSITION AUTHORIZATION. The authorized FTE positions for the department of administration are increased by 1.0 GPR position, to be funded from the appropriation under section 20.505 (1) (cn) of the statutes, as created by this act.

(19t) REPORT ON FOOD SERVICE CENTER PROJECT. The department of administration shall, by March 31, 2000, submit a report concerning the status of the centralized advanced food production system construction project at the Southern Wisconsin Center for the Developmentally Disabled, as authorized under SECTION 9107 (1) (j) of this act, to the joint committee on finance and the building commission. In its report, the department shall address the status of the renovation project and proposed plans for the eventual transfer of assets and operational respon-

sibilities for the food service activity at that food service center from the department of health and family services to the department of veterans affairs.

(19wx) GRANTS FOR CENSUS EDUCATION PROGRAMS.

(a) In this subsection:

1. "Association" means the Wisconsin Towns Association, the Wisconsin Alliance of Cities or the League of Wisconsin Municipalities.

2. "Department" means the department of administration.

3. "Municipality" means a city, village or town.

(b) The department shall review and approve grants from the state to qualified applicants under this paragraph for programs designed to ensure a complete, accurate 2000 federal decennial census. Grants are subject to the following procedures and conditions:

1. Application may be made by any association, by any county, municipality or group of municipalities in this state which has a population of 20,000 or more, according to the 1990 federal decennial census, or by any county, municipality or group of municipalities in this state which can demonstrate that a substantial portion of the population of the county, municipality or group is hard to enumerate. In this subdivision, "hard to enumerate" populations include:

a. Racial and ethnic minorities.

b. Individuals for whom English is not their primary language.

c. Homeless individuals.

d. Migrant workers.

e. Residents of public housing projects or other concentrations of rental units.

f. Individuals who may be outside the mainstream of daily life, such as homebound, elderly or disabled individuals.

g. Student populations.

2. Applications shall be received by the department no later than the 30th day after the effective date of this subsection in order to qualify for a grant.

Vetoed In Part

3. The department shall announce awards of grants on or before the 15th day after the application deadline specified in subdivision 2. The department shall make payment of 60% of each grant at the time of award.

Vetoed In Part

4. No costs incurred after June 1, 2000, are eligible to be paid from a grant.

5. a. The department shall make grants on a matching basis, but no grant may exceed $200,000, except as authorized under subdivision 5. b. If the total amount of the grants payable exceeds the moneys available in the appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the department shall adjust amounts of the grants on a prorated basis.

b. If, after the department awards all grant moneys for which the department has qualifying applications, there remain unencumbered moneys in the appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the department may award additional grant moneys to any original qualified applicants who apply to receive additional grant moneys. In distributing additional grant moneys, the department shall apportion the moneys on a prorated basis in accordance with the amounts awarded to each applicant originally, up to the amount of additional moneys matched by the applicant as provided in subdivision 5. a., but not to exceed a total grant of $250,000 to a single applicant. If, after additional grants are awarded under this subdivision, there remain unencumbered moneys in the appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the department may award additional grants on the same basis as provided under this subdivision until all unencumbered moneys in the appropriation under section 20.505 (1) (e) of the statutes are exhausted. For purposes of apportionment of any such additional grant moneys, the department shall exclude any amount paid to a recipient that received the maximum grant permitted under this subdivision.

6. Only direct costs are eligible to be paid from a grant. Such costs include personnel costs of staff specifically assigned to a census complete count promotion and the costs of office space, data processing, travel within the area covered by the grant, communications, media advertising, printing, postage and supplies directly attributable to a complete count promotion. Costs not eligible to be paid from a grant are equipment and property costs, application preparation costs, indirect costs, and any costs considered by the department to be inconsistent with the purposes of this subsection.

7. Each grant application under subdivision 1. or 5. b. shall include all of the following:

a. A description of the geographic area covered by the grant application, including, except in the case of an association, the name of each county, municipality or municipality included within a group that is applying for a grant and the approximate total population of each such county and municipality.

b. The categories of populations targeted for the census promotional program, including the approximate number in each category. If populations other than those listed in subdivision 1. are identified, the application shall include an explanation of why the members of the population are hard to enumerate.

c. Activities planned to reach each of these populations, including tentative schedules, source of staff and number of anticipated staff, and materials and other information which would provide a clear understanding of the promotional program.

d. Identification of costs related to subdivision 7. c.

e. The amount of the grant requested and the sources and amounts of matching funds.

f. A plan for the final accounting and evaluation of the promotional program.

g. The signature of the highest ranking official of each county, municipality or association making application for the grant or of each municipality included within a group making application for the grant.

h. If the application is made by an applicant other than a single county or municipality, the name and title of the project coordinator who is responsible for the overall effort.

8. The department may reject any application which does not appropriately meet all requirements of this subsection.

9. Each grant recipient under this subsection shall provide for a final accounting and submit a report of the accounting together with its request for final payment to the department by July 15, 2000. The report shall be certified by the chief financial officer of the recipient, by a certified public accountant and the highest ranking official of the recipient, or, in the case of a group of municipalities, by such officer or accountant and official of each of the municipalities. The department shall make payment of the final 40% of the grant when the final accounting has been completed to its satisfaction.

(19wy) STATEWIDE COMPLETE CENSUS COUNT PROGRAM. The department of administration shall, from the appropriation under section 20.505 (1) (a) of the statutes in fiscal year 1999–2000, conduct a statewide program to educate the public concerning federal census procedures and the importance of assuring a complete and accurate 2000 federal decennial census in this state. The department shall not encumber or expend any moneys for this purpose without the approval of the census education board.

(20c) SELLING AND TRANSFERRING RIGHTS TO TOBACCO LITIGATION FUNDS. The department of administration shall study the idea of selling and transferring Wisconsin's rights to the moneys due Wisconsin under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, for the purpose of creating a permanent endowment fund. No later than January 1, 2000, the department shall submit the study to the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed In Part

(20g) BINGO GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The authorized FTE positions for the department of administration are increased by 4.0 PR positions, to be funded from the appropriation under section 20.505 (8) (jm) of the statutes for the purpose of conducting general program operations for bingo.

(20m) STUDY OF STATE–OWNED WATER PURIFICATION AND WASTEWATER TREATMENT PLANTS. The department of administration shall study the feasibility and desirability of selling, leasing or forming public–private partnerships to operate the water purification and wastewater treatment plants owned by the state. The department shall submit a report to the legislature concerning the options available to the state with respect to such sale, leasing or operational agreements in the manner provided under section 13.172 (2) of the statutes no later than December 31, 2000.

(21g) WISCONSIN SESQUICENTENNIAL COMMISSION; GENERAL PROGRAM OPERATIONS OVERPAYMENT READJUSTMENT. Not later than 30 days after the effective date of this subsection, the secretary of administration shall recompute the amount of the transfer from the historical legacy trust fund to the transportation fund required by 1997 Wisconsin Act 237, section 9101 (1x), by adding to the sum determined by the secretary of administration under 1997 Wisconsin Act 237, section 9101 (1x) (intro.), the moneys deposited to the historical legacy trust fund under section 341.14 (6r) (bg) 3. b., 1997 stats. If the amount of the transfer required by the recomputation under this subsection is greater than the amount transferred under 1997 Wisconsin Act 237, section 9101 (1x), the secretary of administration shall transfer from the historical legacy trust fund to the transportation fund not later than 30 days after the effective date of this subsection an amount equal to the difference between the amount transferred under 1997 Wisconsin Act 237, section 9101 (1x), and the amount of the transfer calculated under the recomputation required by this subsection.

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER COMPLAINTS. Not later than the first day of the 13th month after the effective date of this subsection, the department of agriculture, trade and consumer protection shall enter into a memorandum of understanding with the department of justice and the public service commission for the purpose of coordinating each party's efforts to respond to and address consumer complaints regarding telecommunication services.

Vetoed In Part

(2m) FISH MICROBIOLOGIST. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 1.0 PR position, to be funded from the appropriation under section 20.115 (2) (g) of the statutes, to perform fish microbiology.

(3y) NURSERY REGULATION POSITION. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (7) (ja) of the statutes, are decreased by 1.0 PR position for the purpose of nursery regulation.

SECTION 9105. Nonstatutory provisions; arts board.

(1c) GRANT TO PERFORMING ARTS FOUNDATION. From the appropriation under section 20.215 (1) (b) of the statutes, the arts board shall award a grant of $150,000 in the 1999–2000 fiscal year to a nonprofit performing arts foundation located in a county with a population of less than 130,000 for use in improving handicapped accessibility in the foundation's facility if the foundation provides at least $150,000 in matching funds.

Vetoed In Part

(2w) PORTAGE COUNTY ARTS ALLIANCE. From the appropriation under section 20.215 (1) (fm) of the statutes, as created by this act, the arts board shall award a grant of $50,000 in the 1999–2000 fiscal year to the city of Stevens Point arts council for development of the Portage County Arts Alliance if the arts council provides at least $50,000 in matching funds.

SECTION 9107. Nonstatutory provisions; building commission.

(1) 1999–2001 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years beginning on July 1, 1999, and ending on June 30, 2001, the authorized state building program is as follows:

(a) DEPARTMENT OF ADMINISTRATION	
1. *Projects financed by program revenue supported borrowing:*	
Department of revenue building purchase — Madison	$ 30,100,000
State office building addition — Waukesha	7,100,000
(Total project all funding sources $11,900,000)	
2. *Projects financed by existing program revenue supported borrowing:*	
State office building addition — Waukesha	4,800,000
(Total project all funding sources $11,900,000)	
3. *Agency totals:*	
Program revenue supported borrowing	37,200,000
Existing program revenue supported borrowing	4,800,000
Total — All sources of funds	$ 42,000,000
(b) DEPARTMENT OF CORRECTIONS	
1. *Projects financed by general fund supported borrowing:*	
Work houses — 2 sites	$ 5,120,000
Milwaukee prerelease center purchase	5,030,000
Milwaukee probation and parole holding and alcohol and other drug abuse treatment facility expansion	19,950,000
Taycheedah Correctional Institution segregation/housing unit	8,080,000
(Total project all funding sources $10,780,000)	
Correctional facilities expansion	58,000,000
(Total project all funding sources $63,000,000)	
Highview building conversion — Chippewa Falls	7,294,000
Southern Oaks Girls School multipurpose building	1,429,400
Oshkosh Correctional Institution segregation unit addition	4,189,500
Oakhill Correctional Institution — Cottages 1 to 10 and 12 mechanical systems renovation	2,223,200
Oakhill Correctional Institution — Cottages 1 and 12 remodeling	1,330,200
Waupun Correctional Institution — former health services unit remodeling	7,604,900
2. *Projects financed by federal funds:*	
Taycheedah Correctional Institution segregation/housing unit	2,700,000
(Total project all funding sources $10,780,000)	
Correctional facilities expansion	5,000,000
(Total project all funding sources $63,000,000)	
3. *Agency totals:*	
General fund supported borrowing	120,251,200
Federal funds	7,700,000
Total — All sources of funds	$127,951,200
(c) EDUCATIONAL COMMUNICATIONS BOARD	
1. *Projects financed by general fund supported borrowing:*	
Digital television tower — Wausau	$ 304,000
(Total project all funding sources $465,000)	
2. *Projects financed by existing general fund supported borrowing:*	
Digital television tower — Wausau	161,000

(Total project all funding sources $465,000)

5. *Agency totals:*

General fund supported borrowing	304,000
Existing general fund supported borrowing	161,000
Total — All sources of funds	$ 465,000

(d) DEPARTMENT OF HEALTH AND FAMILY SERVICES

1. *Projects financed by general fund supported borrowing:*

Secure treatment center — Mauston	$ 8,890,000

(Total project all funding sources $38,890,000)

Central Wisconsin Center for the Developmentally Disabled — building one remodeling	710,200

2. *Projects financed by existing general fund supported borrowing:*

Secure treatment center — Mauston	30,000,000

(Total project all funding sources $38,890,000)

Mendota juvenile treatment center addition	1,560,000

3. *Agency totals:*

General fund supported borrowing	9,600,200
Existing general fund supported borrowing	31,560,000
Total — All sources of funds	$ 41,160,200

(e) DEPARTMENT OF MILITARY AFFAIRS

1. *Projects financed by general fund supported borrowing:*

Organizational maintenance shop remodeling — Milwaukee	$ 125,000

(Total project all funding sources $500,000)

Organizational maintenance shop — Oshkosh	207,900

(Total project all funding sources $2,913,900)

General Mitchell International Airport — land purchase	532,500

2. *Projects financed by federal funds:*

Organizational maintenance shop remodeling — Milwaukee	375,000

(Total project all funding sources $500,000)

Organizational maintenance shop — Oshkosh	2,706,000

(Total project all funding sources $2,913,900)

3. *Agency totals:*

General fund supported borrowing	865,400
Federal funds	3,081,000
Total — All sources of funds	$ 3,946,400

(f) DEPARTMENT OF NATURAL RESOURCES

1. *Projects financed by general fund supported borrowing:*

Northern region headquarters — Rhinelander	$ 1,584,000

(Total project all funding sources $3,600,000)

South central region headquarters — Fitchburg	1,353,500

(Total project all funding sources $3,140,000)

2. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*

Milwaukee Lakeshore State Park development	2,000,000

(Total project all funding sources $9,000,000)

Nature and conference center — Lapham Peak unit — Kettle Moraine State Forest	690,000
Old Abe Trail — bridge replacement	140,700

(Total project all funding sources $703,500)

4. *Projects financed by segregated fund supported borrowing:*

Northern region headquarters — Rhinelander	2,016,000

(Total project all funding sources $3,600,000)

Central system office furniture	2,060,000
South central region headquarters — Fitchburg	1,786,500
(Total project all funding sources $3,140,000)	
5. *Projects financed by segregated funds:*	
Ranger stations — Augusta and Webster	1,315,300
5m. *Projects funded by moneys appropriated to the agency from any revenue source:*	
Milwaukee Lakeshore State Park development	5,000,000
(Total project all funding sources $9,000,000)	
6. *Projects financed by federal funds:*	
Milwaukee Lakeshore State Park development	2,000,000
(Total project all funding sources $9,000,000)	
Old Abe Trail — bridge replacement	562,800
(Total project all funding sources $703,500)	
7. *Agency totals:*	
General fund supported borrowing	2,937,500
Existing general fund supported borrowing authority — stewardship funds	2,830,700
Segregated fund supported borrowing	5,862,500
Segregated funds	1,315,300
Moneys appropriated to the agency from any revenue source	5,000,000
Federal funds	2,562,800
Total — All sources of funds	$ 20,508,800
(g) STATE FAIR PARK BOARD	
1. *Projects financed by general fund supported borrowing:*	
Infrastructure improvements	$ 887,100
(Total project all funding sources $1,774,200)	
Land acquisition/site development	1,000,000
(Total project all funding sources $2,000,000)	
2. *Projects financed by program revenue supported borrowing:*	
Infrastructure improvements	887,100
(Total project all funding sources $1,774,200)	
Racetrack seating	14,500,000
Racetrack improvements	550,000
Land acquisition/site development	1,000,000
(Total project all funding sources $2,000,000)	
3. *Agency totals:*	
General fund supported borrowing	1,887,100
Program revenue supported borrowing	16,937,100
Total — All sources of funds	$ 18,824,200
(h) DEPARTMENT OF TRANSPORTATION	
1. *Projects financed by segregated fund supported revenue borrowing:*	
District headquarters renovation — Superior	$ 867,200
District headquarters renovation — Rhinelander	1,790,000
District headquarters renovation — Green Bay	678,000
Statewide tower upgrades	4,239,000
2. *Agency totals:*	
Segregated fund supported revenue borrowing	7,574,200
Total — All sources of funds	$ 7,574,200
(i) UNIVERSITY OF WISCONSIN SYSTEM	
1. *Projects financed by general fund supported borrowing:*	
Eau Claire — Phillips Science Hall renovation	$ 11,496,500

La Crosse — Wing Technology Center remodeling	9,887,000
Madison — Infrastructure distribution systems	7,000,000
Milwaukee — Lapham Hall south wing renovation	10,950,000
Platteville — Student center technology wing	3,735,000
River Falls — Dairy science teaching facility	2,931,000
(Total project all funding sources $3,431,000)	
Stout — Jarvis Science Hall wing renovation	4,200,000
Whitewater — Williams Center fieldhouse	9,450,000
(Total project all funding sources $13,500,000)	
System — Classroom renovation and instructional technology improvements	9,000,000
2. *Projects funded by existing general fund supported borrowing authority:*	
Green Bay — Academic building	15,000,000
(Total project all funding sources $17,000,000)	
Oshkosh — Halsey Science Center renovation	13,885,000
Whitewater — Williams Center fieldhouse	2,025,000
(Total project all funding sources $13,500,000)	
3. *Projects financed by program revenue supported borrowing:*	
Extension — Lowell Hall parking structure	986,800
Madison — Intercollegiate athletics pool	7,500,000
(Total project all funding sources $11,500,000)	
— Operations facility	1,875,000
— Southeast recreational facility addition	6,106,000
— Veterinary medical teaching hospital	1,500,000
(Total project all funding sources $3,200,000)	
Oshkosh — Reeve Union and Blackhawk Commons	18,600,000
River Falls — Residence hall	8,965,000
Stout — Recreation complex	3,000,000
(Total project all funding sources $7,000,000)	
Whitewater — Williams Center fieldhouse	2,025,000
(Total project all funding sources $13,500,000)	
— West campus development	4,180,000
System — Aquaculture demonstration facility — Ashland area	3,000,000
4. *Projects financed by program revenue:*	
Madison — University Ridge clubhouse	1,751,000
— Veterinary medical teaching hospital	1,700,000
(Total project all funding sources $3,200,000)	
5. *Projects financed by gifts, grants and other receipts:*	
Green Bay — Academic building	2,000,000
(Total project all funding sources $17,000,000)	
Madison — McKay Center addition	3,000,000
— Intercollegiate athletics pool	4,000,000
(Total project all funding sources $11,500,000)	
— Murray Mall development	7,111,000
Milwaukee — School of arts facility	7,500,000
River Falls — Dairy science teaching facility	500,000
(Total project all funding sources $3,431,000)	
Stout — Recreation complex	4,000,000
(Total project all funding sources $7,000,000)	
System — Aquatic science and technology education center	1,800,000
— Center for aquatic culture technology	1,200,000

6. *Agency totals:*	
General fund supported borrowing	68,649,500
Existing general fund supported borrowing authority	30,910,000
Program revenue supported borrowing	57,737,800
Program revenue	3,451,000
Gifts, grants and other receipts	31,111,000
Total — All sources of funds	$ 191,859,300
(j) DEPARTMENT OF VETERANS AFFAIRS	
1. *Projects financed by program revenue supported borrowing:*	
Southern Wisconsin veterans retirement center	$ 7,686,100
(Total project all funding sources $23,110,300)	
Food service center renovation — Southern Wisconsin Center for the Developmentally Disabled	6,223,000
2. *Projects financed by existing program revenue supported borrowing:*	
Southern Wisconsin veterans retirement center	402,500
(Total project all funding sources $23,110,300)	
3. *Projects financed by federal funds:*	
Southern Wisconsin veterans retirement center	15,021,700
(Total project all funding sources $23,110,300)	
Southern Wisconsin Veterans Memorial Cemetery	1,540,000
Wisconsin Veterans Memorial Cemetery expansion — King	2,312,000
4. *Agency totals:*	
Program revenue supported borrowing	13,909,100
Existing program revenue supported borrowing	402,500
Federal funds	18,873,700
Total — All sources of funds	$ 33,185,300
(k) MARQUETTE UNIVERSITY	
1. *Projects financed by general fund supported borrowing:*	
School of dentistry	$ 15,000,000
(Total project all funding sources $30,000,000)	
2. *Projects financed by gifts, grants and other receipts:*	
School of dentistry	15,000,000
(Total project all funding sources $30,000,000)	
3. *Agency totals:*	
General fund supported borrowing	15,000,000
Gifts, grants and other receipts	15,000,000
Total — All sources of funds	$ 30,000,000
(km) MILWAUKEE POLICE ATHLETIC LEAGUE	
1. *Projects financed by general fund supported borrowing:*	
Youth activities center	$1,000,000
(Total project all funding sources $5,074,000)	
2. *Projects financed by gifts, grants and other receipts:*	
Youth activities center	4,074,000
(Total project all funding sources $5,074,000)	
3. *Agency totals:*	
General fund supported borrowing	1,000,000
Gifts, grants and other receipts	4,074,000
Total — All sources of funds	$ 5,074,000
(Lm) SWISS CULTURAL CENTER	
1. *Projects financed by general fund supported borrowing:*	
Swiss cultural center — New Glarus	1,000,000
(Total project all funding sources $6,000,000)	

2. *Projects financed by program revenue:*

Swiss cultural center — New Glarus	1,000,000
(Total project all funding sources $6,000,000)	

3. *Projects financed by gifts, grants and other receipts:*

Swiss cultural center — New Glarus	4,000,000
(Total project all funding sources $6,000,000)	

4. *Agency totals:*

General fund supported borrowing	1,000,000
Program revenue	1,000,000
Gifts, grants and other receipts	6,000,000
Total — All sources of funds	6,000,000

(m) ALL AGENCY PROJECT FUNDING

1. *Projects financed by general fund supported borrowing:*

WisBuild initiative	$ 64,923,000
(Total program all funding sources $108,178,600)	
Utilities repair and renovation	41,713,500
(Total program all funding sources $59,124,900)	
Health, safety and environmental protection	25,667,000
(Total program all funding sources $27,747,000)	
Preventive maintenance program	5,000,000
Capital equipment acquisition	7,100,000
(Total program all funding sources $12,500,000)	

2. *Projects funded by existing general fund supported borrowing authority:*

Utilities repair and renovation	3,000,000
(Total project all funding sources $59,124,900)	

3. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*

WisBuild initiative	4,515,400
(Total program all funding sources $108,178,600)	
Utilities repair and renovation	3,843,400
(Total program all funding sources $59,124,900)	
Health, safety and environmental protection	250,000
(Total program all funding sources $27,747,000)	

4. *Projects financed by program revenue supported borrowing:*

WisBuild initiative	33,780,000
(Total program all funding sources $108,178,600)	
Utilities repair and renovation	4,699,000
(Total program all funding sources $59,124,900)	
Health, safety and environmental protection	695,000
(Total program all funding sources $27,747,000)	
Capital equipment acquisition	5,400,000
(Total program all funding sources $12,500,000)	
Land and property acquisition	4,600,000

5. *Projects financed by program revenue:*

Utilities repair and renovation	3,000,000
(Total program all funding sources $59,124,900)	

6. *Projects financed by segregated fund supported borrowing:*

WisBuild initiative	1,673,400
(Total program all funding sources $108,178,600)	

7. *Projects financed by segregated fund supported revenue borrowing:*

WisBuild initiative	1,726,600

(Total program all funding sources $108,178,600)	
Utilities repair and renovation	847,300
(Total program all funding sources $59,124,900)	
8. *Projects financed by moneys appropriated to state agencies from any revenue source:*	
WisBuild initiative	1,254,400
(Total program all funding sources $108,178,600)	
Utilities repair and renovation	1,205,400
(Total program all funding sources $59,124,900)	
9. *Projects financed by federal funds:*	
WisBuild initiative	305,800
(Total program all funding sources $108,178,600)	
Utilities repair and renovation	816,300
(Total program all funding sources $59,124,900)	
Health, safety and environmental protection	1,135,000
(Total program all funding sources $27,747,000)	
10. *All agency totals:*	
General fund supported borrowing	144,403,500
Existing general fund supported borrowing authority	3,000,000
Existing general fund supported borrowing — stewardship funds	8,608,800
Program revenue supported borrowing	49,174,000
Program revenue	3,000,000
Segregated fund supported borrowing	1,673,400
Segregated fund supported revenue borrowing	2,573,900
Moneys appropriated to state agencies from any revenue source	2,459,800
Federal funds	2,257,100
Total — All sources of funds	$217,150,500
(n) SUMMARY	
Total general fund supported borrowing	$365,898,400
Total existing general fund supported borrowing authority	65,631,000
Total existing general fund supported borrowing authority — stewardship funds	11,439,500
Total program revenue supported borrowing	174,958,000
Total existing program revenue supported borrowing	5,202,500
Total segregated fund supported borrowing	7,535,900
Total segregated fund supported revenue borrowing	10,148,100
Total segregated funds	1,315,300
Total program revenue	7,451,000
Total gifts, grants and other receipts	54,185,000
Total moneys appropriated to state agencies from any revenue source	7,459,800
Total federal funds	34,474,600
Total — All sources of funds	$745,699,100

(2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under the previous authorized state building programs is continued in the 1999–2001 fiscal biennium.

(3) LOANS. During the 1999–2001 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to state agencies, as defined in section 20.001 (1) of the statutes, for projects which are to be utilized for programs not funded by general purpose revenue and which are authorized under subsection (1).

(4) PROJECT CONTINGENCY FUNDING RESERVE. During the 1999–2001 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (yg) of the statutes, as affected by this act, for contingency expenses in connection with any project in the authorized state building program.

(5) CAPITAL EQUIPMENT FUNDING ALLOCATION.

(a) During the 1999–2001 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as affected by this act, for capital equipment acquisition in connection with any project in the authorized state building program.

(b) During the 1999–2001 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as affected by this act, to acquire other priority capital equipment for state agencies, as defined in section 20.001 (1) of the statutes.

(6) MARQUETTE UNIVERSITY SCHOOL OF DENTISTRY. Notwithstanding section 13.48 (32) of the statutes, as created by this act, the building commission shall not make a grant to Marquette University for the dental school project enumerated in subsection (1) (k) under section 13.48 (32) of the statutes, as created by this act, unless the department of administration has reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(6g) SWISS CULTURAL CENTER. Notwithstanding section 13.48 (33) of the statutes, as created by this act, the building commission shall not make a grant to the organization known as the Swiss Cultural Center for the Swiss cultural center project enumerated in subsection (1) (Lm) under section 13.48 (33) of the statutes, as created by this act, unless the department of administration has reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(6m) MILWAUKEE POLICE ATHLETIC LEAGUE YOUTH ACTIVITIES CENTER. Notwithstanding section 13.48 (34) of the statutes, as created by this act, the building commission shall not make a grant to the Milwaukee Police Athletic League for the youth activities center project enumerated in subsection (1) (km) under section 13.48 (34) of the statutes, as created by this act, unless the department of administration has reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(7) HIGHVIEW BUILDING VACATION AND CONVERSION. The building commission shall, during the 1999–2001 fiscal biennium, coordinate the construction project related to vacation of the Highview building by the Northern Wisconsin Center for the Developmentally Disabled and conversion of the building to a medium security correctional institution under subsection (1) (b) 1. and related projects. Jurisdiction over the building and adjacent land is vested in the commission for the purpose of effecting the transfer. At such time as is appropriate, the commission shall transfer the building and adjacent land to the department of corrections under section 13.48 (14) of the statutes.

(7tu) STATE FAIR PARK RACETRACK SEATING PROJECT. Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted for the racetrack seating project identified in subsection (1) (g) 2. unless the state fair park board first notifies the commission, in writing, that it has approved the design of the project. **Vetoed In Part**

(7tv) STATE FAIR PARK RACETRACK IMPROVEMENTS. Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted for the racetrack improvements project identified in subsection (1) (g) 2. unless the commission is notified by the cochairpersons of the joint committee on finance that the committee has approved the plan for noise abatement at the racetrack submitted under SECTION 9145 (1tv) of this act.

(7x) AQUACULTURE DEMONSTRATION FACILITY. Notwithstanding section 18.04 (1) of the statutes and section 18.04 (2) of the statutes, as affected by this act, the building commission shall not authorize public debt to be contracted for the purpose of financing construction of the aquaculture demonstration facility enumerated under subsection (1) (i) 3. unless the joint committee on finance has first approved the report required to be submitted to the committee by the board of regents of the University of Wisconsin System under SECTION 9154 (3x) of this act. **Vetoed In Part**

(8m) WAUSAU STATE OFFICE FACILITY STUDY. The building commission shall conduct a study of the feasibility of constructing a state office facility in the Wausau area to consolidate state employe staff. The building commission shall report the results of the study, together with its findings and recommendations, to the legislature in the manner provided in section 13.172 (2) of the statutes no later than July 1, 2000. **Vetoed In Part**

SECTION 9109. Nonstatutory provisions; circuit courts.

(1g) CIRCUIT COURT BRANCH, 2000. The initial election for circuit judge for branch 3 of the circuit court for Waupaca County shall be at the spring election of 2000 for a term commencing August 1, 2000, and ending July 31, 2006.

(1h) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on August 1, 2000, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for the circuit court branch for Waupaca County created by this act.

(1i) COURT REPORTER POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on August 1, 2000, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide one additional court reporter for the circuit court branch for Waupaca County created by this act.

(2f) CIRCUIT COURT SUPPORT PAYMENTS. Notwithstanding section 758.19 (5) (b) (intro.) of the statutes, as affected by this act, if the director of state courts has made a payment under section 758.19 (5) of the statutes after June 30, 1999, and before the effective date of this subsection, the initial payment required by section 758.19 (5) (b) (intro.) of the statutes, as affected by this act, shall be reduced by the amount of that payment.

(2g) SOLICITATION OF HOMICIDE OF PARENT AS TERMINATION OF PARENTAL RIGHTS GROUND. The treatment of section 48.415 (8) of the statutes first applies to petitions for termination of parental rights under section 48.42 (1) of the statutes filed on the effective date of this subsection, but does not preclude consideration of a conviction under section 939.30 of the statutes obtained before the effective date of this subsection in determining whether to terminate, or to find grounds to terminate, the parental rights of a person under section 48.415 (8) of the statutes, as affected by this act.

SECTION 9110. Nonstatutory provisions; commerce.

(1) GRANTS TO BROWN COUNTY. From the appropriation under section 20.143 (1) (kj) of the statutes, as created by this act, the department of commerce shall make grants to Brown County of $500,000 in fiscal year 1999–2000 and $1,000,000 in fiscal year 2000–01 for economic development.

(3g) BUILDING PERMITS FOR CONSTRUCTION OF CERTAIN ONE– AND 2–FAMILY DWELLINGS. Notwithstanding section 101.651 (2m) and (3) (b) of the statutes, as created by this act, a person is not required to obtain a building permit for construction that begins before the effective date of this subsection if, at the time that the construction begins, the municipality where the construction is located is exempt under section 101.651 (2), 1997 stats., the municipality has not enacted an ordinance requiring a building permit for the construction, the municipality does not jointly exercise jurisdiction with a political subdivision that requires a building permit for the construction and the municipality has not requested a county or the department of commerce to provide building permit services under section 101.651 (3), 1997 stats.

(3j) DEPARTMENT OF COMMERCE ENFORCEMENT OF ONE– AND 2–FAMILY DWELLING CODE IN CERTAIN MUNICIPALITIES. Notwithstanding section 101.651 (3) (b) of the statutes, as created by this act, if the department of commerce enters into a contract with a municipality before July 1, 2000, to provide inspection services in the municipality under section 101.651 (3) (b) of the statutes, as created by this act, the department shall begin providing the inspection services under the contract no later than July 1, 2000.

(3yt) FINANCIAL MANAGEMENT OF PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. No later than the first day of the 6th month beginning after the effective date of this subsection, the department of commerce shall do all of the following:

(a) Update its financial data base for the program under section 101.143 of the statutes to ensure that complete cost information related to each occurrence and to the annual payment to each owner or operator is readily available.

(b) Investigate any variances between the amount of total payments indicated by the department's financial data base for the program under section 101.143 of the statutes and the amount of total payments indicated by the accounts maintained by the department of administration under section 16.52 of the statutes to identify when the variances occurred and the reasons for the variances.

(c) Make any changes in the department's financial data base needed to ensure that the data base is consistent with the accounts maintained by the department of administration under section 16.52 of the statutes.

(3yu) RULE MAKING FOR PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

(a) The department of commerce and the department of natural resources shall submit in proposed form the rules required under section 101.143 (2) (h), (i) and (j) and (2e) of the statutes, as created by this act, to the legislature under section 227.19 of the statutes no later than June 1, 2000. **Vetoed In Part**

(b) Using the procedure under section 227.24 of the statutes, the department of commerce and the department of natural resources shall promulgate the rules required under section 101.143 (2) (h), (i) and (j) and (2e) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until September 1, 2000, or the date on which rules under paragraph (a) take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the departments are not required to provide evidence that promulgating rules under this paragraph is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this paragraph. The departments shall promulgate rules under this paragraph no later than the 30th day after the effective date of this paragraph.

(c) Using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate rules to implement section 101.143 (4) (cm) 1. of the statutes, as affected by this act, for the period before the effective date of permanent rules, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of **Vetoed In Part**

the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this paragraph is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this paragraph. The department shall promulgate rules under this paragraph no later than November 1, 1999.

Vetoed In Part

(d) The department of commerce shall submit in proposed form any rules under section 101.143 (2) (h) of the statutes, as created by this act, to the legislature under section 227.19 of the statutes no later than June 1, 2000.

(e) If the conditions under section 101.144 (3g) (a) of the statutes, as created by this act, apply on December 1, 1999, using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate the rules required under section 101.144 (3g) (a) of the statutes, as created by this act, for the period before the effective date of permanent rules, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide a finding of emergency for rules promulgated under this paragraph. The department shall promulgate rules under this paragraph no later than December 31, 1999.

(3yv) TRANSFER OF SITES. The department of natural resources and the department of commerce shall identify sites the classification of which is changed because of the changes made by this act in section 101.144 of the statutes and shall transfer authority over those sites no later than December 1, 1999.

(3yw) REPORT CONCERNING INTEREST COSTS. No later than March 1, 2000, the department of commerce shall submit a report to the joint committee on finance and the joint committee for review of administrative rules containing recommendations for actions that the department could take to reduce interest costs incurred by claimants under the program under section 101.143 of the statutes, including a review of schedules for making progress payments to claimants.

(3yx) EVALUATION OF USUAL AND CUSTOMARY COST SCHEDULE. The department of commerce shall evaluate the operation of section 101.143 (4) (cm) 1. of the statutes, as affected by this act, and shall report the results of the evaluation to the joint legislative audit committee, to the joint committee on finance and to the appropriate standing committees of the legislature, in the manner provided in section 13.172 (3) of the statutes, no later than the first day of the 14th month beginning after the effective date of this subsection.

Vetoed In Part

(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 $1,500,000 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:

Vetoed In Part

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.

3m. The consortium agrees in writing to use 60% of the grant proceeds in Racine County and 40% of the grant proceeds in Kenosha County.

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.

Vetoed In Part

Vetoed In Part

2. The department may not disburse more than $750,000 in grant proceeds under this subsection in either fiscal year 1999–2000 or fiscal year 2000–01.

(6c) GRANT RELATED TO WELL REPLACEMENT. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce shall make a grant of $299,800 in fiscal year 1999–2000 to a city that was required to replace its city well because of federal highway construction.

(6e) GRANT FOR PEDESTRIAN ENHANCEMENTS. In fiscal year 1999–2000, the department of commerce may make a grant, not exceeding $100,000, from the appropriation under section 20.143 (1) (fg) of the statutes, as affected by this act, to the city of Menasha for pedestrian enhancements to its city square if the city of Menasha contributes funds for the project that at least equal the amount of the grant.

(7b) COMMUNITY DEVELOPMENT BLOCK GRANT FOR WATER WELL.

Vetoed In Part

(a) The department of commerce shall make a grant of $299,000 in fiscal year 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to the town of Rib Mountain for drilling a new water well.

(b) Within 6 months after spending the full amount of the grant, the town of Rib Mountain shall submit to the department of commerce a report detailing how the grant proceeds were spent.

(7bt) LOAN TO CITY BREWERY.

Vetoed In Part

(a) Notwithstanding section 560.61 (intro.) of the statutes and section 560.66 (1) (intro.) of the statutes, as affected by this act, regardless of whether the development finance board so requests, the department of commerce shall make a loan of $1,500,000 under section 560.66 of the statutes from the appropriations under section 20.143 (1) (c) and (ie) of the statutes, as affected by this act, to City Brewery in the city of LaCrosse if all of the following apply:

1. The proposed recipient 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 proposed recipient 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 proposed recipient 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, 2001.

(7h) GRANT FOR SWISS CULTURAL CENTER.

(a) Subject to paragraph (b), from the appropriation under section 20.143 (1) (km) of the statutes, as created by this act, the department of commerce shall make a grant in fiscal biennium 1999–2001 to an organization known as the Swiss Cultural Center for construction of a Swiss cultural center in the village of New Glarus.

(b) The amount of the grant under paragraph (a) may not exceed $1,000,000. For every dollar received from the state for the project under paragraph (a), the organization shall provide $2 in matching funds for the project from a source other than the state.

(c) Within 6 months after spending the full amount of the grant under paragraph (a), the organization shall submit to the department of commerce a report detailing how the grant proceeds were used.

(7n) ADMINISTRATION OF MOBILE HOMES.

(a) The authorized FTE positions for the department of commerce are decreased by 1.6 PR positions funded from the appropriation under section 20.143 (3) (j) of the statutes, as affected by this act, for the purpose of administering subchapter V of chapter 101 of the statutes, as affected by this act.

(b) The authorized FTE positions for the department of commerce are increased by 1.6 SEG positions, to be funded from the appropriation under section 20.143 (3) (sa) of the statutes, as created by this act, for the purpose of administering subchapter V of chapter 101 of the statutes, as affected by this act.

(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

(a) In this subsection, "board" means the recycling market development board.

(b) Subject to paragraph (e), the board shall award a grant of $133,000 to the West Central Wisconsin Biosolids Facility Commission if all of the following apply:

1. The commission submits a plan to the board detailing the proposed use of the grant and the board approves the plan.

2. The commission enters into a written agreement with the board that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

3. The commission agrees in writing to submit to the board the report required under paragraph (d) 2. by the time required under paragraph (d) 2.

(c) If the board awards a grant under this subsection, the department of commerce shall pay the grant proceeds from the appropriation under section 20.143 (1) (tm) of the statutes, as affected by this act. Vetoed In Part

(d) If the commission receives a grant under this subsection, the commission shall do all of the following:

1. Use the grant proceeds to determine the feasibility of creating sludge–based products and of marketing those products and to develop markets for the biosolid materials being produced from waste products by the commission.

2. Within 6 months after spending the full amount of the grant, submit to the board a report detailing how the grant proceeds were used.

(e) The board may not award and the department may not pay grant proceeds under this subsection after June 30, 2001.

(7v) GRANTS TO CAP SERVICES, INC. From the appropriation under section 20.143 (1) (fg) of the statutes, as affected by this act, the department of commerce shall make a grant of $25,000 in each of fiscal years 1999–2000 and 2000–01 to CAP Services, Inc., for providing technical assistance and management services to small businesses. Within 6 months after spending the full amount of each grant under this subsection, CAP Services, Inc., shall submit a report to the department of commerce detailing how the grant proceeds were used. Any grant awarded to CAP Services, Inc., under section 560.14 of the statutes, as affected by this act, in fiscal year 1999–2000 or 2000–01 for providing technical assistance and management services to small businesses may be counted toward satisfying the requirement under this subsection.

Vetoed In Part

Vetoed In Part

(8e) COMMUNITY DEVELOPMENT BLOCK GRANT FOR DOMESTIC VIOLENCE SHELTER. The department of commerce shall make a grant of $250,000 in fiscal year 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to a county in which a domestic violence shelter is being constructed by the Young Women's Christian Association in a city that is located in the county and that has a population greater than 52,000 but less than 60,000. The county must use the grant proceeds to provide financial assistance to the Young Women's Christian Association for the construction of the domestic violence shelter. Within 6 months after spending the full amount of the grant, the county shall submit to the department of commerce a report detailing how the grant proceeds were spent.

Vetoed In Part

(8gm) GRANT FOR BROWNFIELDS CLEANUP AND PARK.

(a) In this subsection:

1. "Brownfields" has the meaning given in section 560.13 (1) (a) of the statutes.

2. "Department" means the department of commerce.

3. "Secretary" means the secretary of commerce.

(b) Notwithstanding section 560.13 of the statutes, as affected by this act, from the appropriation under section 20.143 (1) (qm) of the statutes, as affected by this act, the department shall make a grant of $100,000 to a person for the cleanup of a brownfields site in the city of Kenosha and for development of the cleaned–up site as a park if all of the following apply:

1. The person submits a plan to the department detailing the proposed use of the grant and the secretary approves the plan.

2. The person enters into a written agreement with the department that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

3. The person agrees in writing to submit to the department the report required under paragraph (c) by the time required under paragraph (c).

(c) If a person receives a grant under this subsection, the person 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) The department may not pay grant proceeds under this subsection after June 30, 2001.

(8h) RECYCLING MARKET DEVELOPMENT STAFF.

(a) The authorized FTE positions for the department of commerce, funded from the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0 SEG project positions for staff for the recycling market development board.

(b) The authorized FTE positions for the department of commerce, funded from the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0 SEG positions for a loan portfolio manager to manage past and future financial assistance awarded by the recycling market development board and for a commodity specialist to develop and direct strategy for recycling market development.

Vetoed In Part

SECTION 9111. Nonstatutory provisions; corrections.

(2d) PROFITABILITY REQUIREMENT.

(a) In this subsection:

Vetoed In Part

1. "Prison contract" has the meaning given in section 303.01 (11) (a) 2. of the statutes.

2. "Profitable" means earning a profit, as determined by the report described in paragraph (b), during at least three quarters of calendar year 2000.

(b) The department of corrections and the department of administration shall submit a report to the joint committee on finance for each quarter of calendar year 2000 providing the department of corrections' cash balance summary under each prison contract. Each report shall be prepared within 30 days after the end of the quarter. The report for the 4th quarter shall state whether the department's operations under at least two–thirds of its prison contracts were profitable during calendar year 2000. If less than two–thirds of its prison contracts were profitable, the department of corrections shall terminate its program for contracting with private employers under section 303.01 (2) (em) of the statutes, as affected by this act.

(c) If the report under paragraph (b) states that less than two–thirds of prison contracts were profitable during calendar year 2000, the cochairpersons of the joint committee on finance shall certify that fact to the revisor of statutes no later than March 1, 2001. Upon the certification, the revisor of statutes shall publish notice in the Wisconsin Administrative Register of the report and that, as of March 1, 2001, the treatment of sections 20.410 (1)

Vetoed In Part (gi), (hm) and (km), 20.455 (5) (i), 108.07 (8) (b), 303.01 (8) (b), (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the repeal of section 303.01 (2) (em) and (11) of the statutes have taken effect.

Vetoed In Part (4xx) CAREGIVER CRIMINAL BACKGROUND CHECKS. The department of corrections, in conjunction with the University of Wisconsin–Madison, shall prepare a report on the correlation between prior convictions and the propensity to commit future acts of abuse, neglect or misappropriation. Vetoed In Part The department of corrections shall submit the report to the legislature in the manner provided under section 13.172 (3) of the statutes no later than June 30, 2001.

(6e) COMPUTER RECYCLING PROGRAM. The authorized FTE positions for the department of corrections are increased by 4.0 SEG project positions for the period ending on June 30, 2001, to be funded from the appropriation under section 20.410 (1) (qm) of the statutes, as created by this act, for the purpose of the department's computer recycling program.

SECTION 9113. Nonstatutory provisions; educational communications board.

(1mm) RESTRUCTURING PUBLIC BROADCASTING AND FUNDING DIGITAL TELEVISION TRANSITION COMMITTEE. There is created a restructuring public broadcasting and funding digital television transition committee, which shall consist of 6 members appointed by the governor, one member appointed by the senate majority leader and one member appointed by the speaker of the assembly. Of the members appointed by the governor, one member shall be appointed from a list of nominees submitted by the Friends of WHA–TV, one member shall be appointed from a list of nominees submitted by the president of the University of Wisconsin System or his or her designee, one member shall be appointed from a list of nominees submitted by the educational communications board, one member shall be appointed from a list of nominees submitted by the state superintendent of public instruction or his or her designee and one member shall be appointed from a list of nominees submitted by the director of the technical college system or his or her designee. The governor shall designate one of the members of the committee as the chairperson. The committee shall recommend legislation for restructuring the organization of public broadcasting in this state and funding the transition to digital television for public broadcasting in this state. Vetoed In Part On or before January 15, 2000, the committee shall submit the proposed legislation to the governor, and to the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes. The committee shall cease to exist when the committee has submitted the proposed legislation required under this subsection, Vetoed In Part or on January 15, 2000, whichever occurs sooner.

SECTION 9115. Nonstatutory provisions; employe trust funds.

(1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. Notwithstanding the length of terms specified for the members of the private employer health care coverage board under section 15.165 (5) of the statutes, as created by this act, the initial members shall be appointed for the following terms:

(a) The members specified under section 15.165 (5) (a) 1., 3. and 7. of the statutes, as created by this act, for terms expiring on May 1, 2002.

(b) The members specified under section 15.165 (5) (a) 2., 5. and 8. of the statutes, as created by this act, for terms expiring on May 1, 2003.

(c) The members specified under section 15.165 (5) (a) 4. and 6. of the statutes, as created by this act, for terms expiring on May 1, 2004.

(1h) POSITION AUTHORIZATION FOR PROVISION OF BENEFITS. The authorized FTE positions for the department of employe trust funds are increased by 19 SEG project positions for the period ending on June 30, 2001, to be funded from the appropriation under section 20.515 (1) (v) of the statutes, as created by this act, for the purpose of providing benefits under the Wisconsin retirement system.

(2) POSITION AUTHORIZATIONS FOR THE DEPARTMENT OF EMPLOYE TRUST FUNDS. The authorized FTE positions for the department of employe trust funds are increased by 3.5 GPR positions on the effective date of this subsection, to be funded from the appropriation under section 20.515 (2) (a) of the statutes, as created by this act, for the purpose of designing and contracting for administrative services for the private employer health care coverage program under subchapter X of chapter 40 of the statutes, as created by this act.

(3) GRANT FOR ADMINISTRATION OF PROGRAM.

(a) In this subsection:

1. "Administrator" means the administrator selected by the department under section 40.98 (2) (a) 2. of the statutes, as created by this act.

2. "Department" means the department of employe trust funds.

3. "Secretary" means the secretary of employe trust funds.

(b) The department shall make a grant of $200,000 from the appropriation under section 20.515 (2) (b) of the statutes, as created by this act, to the administrator for costs associated with administering the health care coverage plans under the program under subchapter X of chapter 40 of the statutes, as created by this act, if all of the following apply:

1. The administrator submits a plan to the department detailing the proposed use of the grant and the secretary approves the plan.

2. The administrator enters into a written agreement with the department that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

3. The administrator agrees in writing to submit to the department the report required under paragraph (c) by the time required under paragraph (c).

(c) If the administrator receives a grant under this subsection, the administrator 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.

SECTION 9117. Nonstatutory provisions; employment relations department.

(1w) TRAINING PROGRAMS. The authorized FTE positions for the department of employment relations are increased by 0.5 PR position, to be funded from the appropriation under section 20.512 (1) (jm) of the statutes, for the purpose of providing training services.

SECTION 9121. Nonstatutory provisions; governor.

(1c) POSITION AUTHORIZATIONS. The authorized FTE positions for the office of the governor are increased by 2.0 GPR policy analyst positions on January 1, 2000, to be funded from the appropriation under section 20.525 (1) (a) of the statutes.

(1w) DANE COUNTY REGIONAL PLANNING COMMISSION. The governor shall appoint a task force, consisting of 15 members, which shall study, and make recommendations regarding, the creation of a multicounty regional planning commission to replace the Dane County regional planning commission after its dissolution.

SECTION 9123. Nonstatutory provisions; health and family services.

(1) RULES FOR FAMILY CARE BENEFIT. Using the procedure under section 227.24 of the statutes, the department of health and family services shall promulgate the rules required under sections 46.286 (4) to (7), 46.288 (1) to (3) and 50.02 (2) (d) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under sections 46.286 (4) to (7), 46.288 (1) to (3) and 50.02 (2) (d) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(1m) REPORT ON FAMILY CARE. Notwithstanding section 16.42 (1) of the statutes, by November 1, 2000, the department of health and family services shall submit to the governor, as part of the department's 2001–03 biennial budget request, a report that describes the implementation and outcomes of the pilot projects under section 46.281 (1) (d) of the statutes, as created by this act, and that makes recommendations on the family care program under sections 46.2805 to 46.2895 of the statutes, as created by this act.

(1n) ALTERNATIVE TO FAMILY CARE.

(a) The department of health and family services shall, as soon as possible before July 1, 2002, seek waivers of federal medical assistance statutes and regulations from the federal department of health and human services that are necessary to implement in up to 3 pilot sites a model for the provision of long–term care that is an alternative to the family care program under sections 46.2805 to 46.2895 of the statutes, as created by this act, that would have all of the following characteristics:

1. Medical assistance coverage of services under waiver programs under sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes would be expanded to include selected services specified under section 49.46 (2) (b) of the statutes, including personal care and home health care.

2. Counties in which the pilot sites are located would provide or contract for the provision of, organize or arrange for long–term care services to eligible persons, but would not be required to compete with private or nonprofit organizations for contracts to provide the long–term care.

3. Counties in which the pilot sites are located would provide services of a resource center, as specified under section 46.283 (4) of the statutes, as created by this act. However, the entity providing the services need not be separate from an entity that provides, contracts for the provision of, organizes or arranges for long–term care services under subdivision 2., except that a county may contract for the provision of functions if necessary to obtain federal waiver approval.

4. The cost of the program would not exceed the cost of relevant aspects of the family care program.

5. Pilot sites would be required to reduce average costs per person served in the areas of the sites under sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes as compared to those costs for the calendar year preceding implementation of the alternative model, in order to serve additional persons on waiting lists for the services.

6. The department of health and family services would distribute funding to the pilot sites on a per person per month payment basis using the same methodology as that used under section 46.284 (5) (a) of the statutes, as created by this act, as adjusted for the specific services provided.

7. The risk–sharing provisions specified under section 46.284 (5) of the statutes, as created by this act, would apply to pilot sites.

8. Resource centers operated by pilot sites would be required to provide or contract for the provision of services similar to those specified under section 46.283 (3)

(a), (b), (e), (f), (g), (i) and (k) of the statutes, as created by this act.

(b) If the federal waivers specified under paragraph (a) are approved, the department of health and family services shall as soon as possible before July 1, 2002, seek enactment of statutory language, including appropriation of necessary funding, to implement the model described under paragraph (a), as approved under the federal waivers.

(2) HEALTH INSURANCE RISK–SHARING PLAN AND MEDICAL ASSISTANCE PURCHASE PLAN. The department of health and family services shall evaluate how to coordinate the health insurance risk–sharing plan under chapter 149 of the statutes, as affected by this act, and the medical assistance purchase plan under section 49.472 of the statutes, as created by this act. If necessary, the department shall develop proposed legislation that coordinates the programs and that addresses the provision of health care coverage for individuals who are eligible for both programs.

(3) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE DEMONSTRATION PROJECTS.

(a) From the appropriations under section 20.435 (6) (a) of the statutes, as affected by this act, and section 20.435 (6) (n) of the statutes, the department of health and family services shall contract with counties or federally recognized American Indian tribes or bands to provide up to 4 demonstration projects in state fiscal year 2000–01. The demonstration projects shall be to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency or both mental illness and alcohol or other drug dependency.

(b) The department of health and family services shall submit for approval by the secretary of the federal department of health and human services any requests for waiver of federal medical assistance laws that are necessary to secure federal financial participation for the managed care demonstration projects under this subsection. Regardless of whether a waiver is approved, the department of health and family services may contract for the provision of the managed care demonstration projects under this subsection.

(5) PRELIMINARY BREATH SCREENING INSTRUMENTS. From the appropriation account under section 20.435 (6) (hx) of the statutes, as affected by this act, the secretary of administration shall transfer $290,900 to the appropriation account under section 20.395 (5) (ci) of the statutes not later than 30 days after the effective date of this subsection.

(6tt) BADGER CARE PREMIUMS FOR NATIVE AMERICANS. If the department of health and family services receives notification from the federal department of health and human services that Native Americans may not be required to contribute to the cost of health care coverage under the badger care program under section 49.665 of the statutes, as affected by this act, the department shall request the joint committee on finance to supplement the appropriation account under section 20.435 (4) (bc) of the statutes, as affected by this act, from the appropriation account under section 20.865 (4) (a) of the statutes for the 1999–2001 fiscal biennium. Notwithstanding section 13.101 (3) of the statutes, if, within 14 days after receiving the request, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of approving the request for supplementation, the request shall be considered approved and the appropriation account under section 20.435 (4) (bc) of the statutes, as affected by this act, shall be supplemented from the appropriation account under section 20.865 (4) (a) of the statutes in the amount requested.

(6tu) GRANTS TO TRIBAL HEALTH CENTERS. No later than the first day of the 2nd month beginning after the effective date of this subsection, the department of health and family services shall submit a plan to the joint committee on finance that specifies the distribution formula for grants under section 146.19 (2m) of the statutes, as created by this act. If, within 14 days after receiving the plan, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department shall distribute the grants under section 146.19 (2m) of the statutes, as created by this act, in accordance with the plan. If, within 14 days after receiving the plan, the cochairpersons notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may not distribute the grants except as approved by the committee. **Vetoed In Part**

(7) REPORT TO LEGISLATURE REGARDING HUNGER PREVENTION GRANTS. The department of health and family services shall, by June 30, 2000, submit a report to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes, on grants made under section 46.765, 1997 stats., and the community–based hunger prevention activities conducted using those grants.

(7t) NOCTURNAL ENURESIS STUDY. The department of health and family services shall conduct a study of the efficacy of urine alarms used in conjunction with behavior modification therapy and case management, including bimonthly visits with a specialist, as a treatment for nocturnal enuresis. Not later than January 1, 2000, the department shall report its findings to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes. The department shall include in its report the estimated costs of covering under the medical assistance program the treatment studied. **Vetoed In Part**

(7w) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT. The departments of health and family services and workforce development shall jointly **Vetoed In Part**

Vetoed In Part

develop a plan to modify the client assistance for reemployment and economic support system such that an individual may have his or her eligibility for any public assistance program determined independently of his or her eligibility for any other public assistance program. The departments shall submit their plan to the joint committee on finance not later than November 1, 1999.

(8d) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

Vetoed In Part

(a) The department of health and family services shall study all of the following:

1. The program and operational requirements of establishing an electronic benefit transfer system under the supplemental food program for women, infants and children.

Vetoed In Part

2. Information system requirements for administering an electronic benefit transfer system under the supplemental food program for women, infants and children.

3. Compatibility of an electronic benefit transfer system under the supplemental food program for women, infants and children with existing electronic benefit transfer systems.

4. The costs and benefits of implementing an electronic benefit transfer system to the department of health and family services, participants and vendors under the supplemental food program for women, infants and children.

5. Possible funding sources for the implementation of an electronic benefit transfer system under the supplemental food program for women, infants and children.

(b) Not later than January 1, 2002, the department of health and family services shall report the findings of the study under paragraph (a) to the cochairpersons of the joint committee on finance. The report shall also include recommendations for fraud reduction under the supplemental food program for women, infants and children.

(8gm) DNA PROBE MACHINE. From the appropriation under section 20.435 (1) (a) of the statutes, the department of health and human services shall allocate $250,000 during the fiscal year 1999–2000 to the City of Milwaukee for the purchase of a DNA probe machine.

Vetoed In Part

(8mx) HEALTH CARE INFORMATION PROPOSAL.

(a) By June 30, 2001, the department of health and family services may develop and submit a proposal to the department of administration for supplemental expenditure and position authority for the conduct of health care data collection activities, except as provided in paragraph (b), by the subunit of the department of health and family services that deals with health care information. If submitted, the proposal shall identify potential sources of revenue to support proposed health care data collection activities. The department of administration may submit the proposal, together with any proposed legislation required to implement the proposal, to the cochairpersons of the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after receiving the proposal that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the department of administration may approve the proposed expenditure and position authority, as authorized under current law. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretary of administration that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the department of administration may not approve the proposed expenditure and position authority, except as approved by the committee and as authorized under current law.

Vetoed In Part

(b) By June 30, 2000, the department of health and family services, the subunit of the department of employe trust funds that deals with health care financing and the office of the commissioner of insurance shall together develop a proposal for consolidation of voluntarily provided health plan data collected by those agencies and a detailed memorandum of understanding for implementing the proposal. If the proposal is acceptable to each agency, the secretary of health and family services, the secretary of employe trust funds and the commissioner of insurance shall sign the memorandum of understanding and submit the proposal, the memorandum of understanding, a report concerning any potential cost savings from the consolidated collection of voluntarily provided health plan data and any proposed legislation required to implement the proposal to the department of administration. The department of administration may approve, disapprove or modify and approve any proposal it receives under this paragraph. If the department of administration approves the proposal, the department shall submit the proposal, together with any modifications the memorandum of understanding, the report and any proposed legislation to the cochairpersons of the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after receiving the proposal that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the department of administration may approve any proposed expenditure and position authority contained in the proposal and any modifications of the proposal to the extent authorized under current law. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretary of administration that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the department of administration may not approve the proposed expenditure and position authority contained in the proposal any proposed modifications of the proposal, except as approved by the committee and to the extent authorized under current law. If the proposal, as approved by the department of administration and the committee, if the committee approves the proposal, is not

Vetoed In Part

consistent with the memorandum of understanding, the department of health and human services, the subunit of the department of employe trust funds and the commissioner of insurance shall enter into a revised memorandum of understanding that is consistent with the approved proposal.

Vetoed In Part

(8t) REPORT ON HUNTINGTON'S DISEASE.

(a) In this subsection, "Huntington's disease" means an inherited, degenerative disease that usually begins during mid–life, is characterized by intellectual decline and irregular and involuntary movement of the limbs or facial muscles and may include personality change, memory disturbance, slurred speech, impaired judgment and psychiatric disorders.

(b) By January 1, 2000, the department of health and family services shall submit to the joint committee on finance a report on service provided to individuals with Huntington's disease that includes information on all of the following:

1. In each county of the state, the number of individuals with any type of disability who receive services under any of the following:

a. The long–term support community options program under section 46.27 (7) of the statutes.

b. The long–term support community options program under section 46.27 (11) of the statutes.

c. The community integration program under section 46.277 of the statutes.

d. County revenues.

2. In each county of the state, the number and percentage of individuals with Huntington's disease who receive services under the programs or source specified in subdivision 1. a. to d.

3. The type of services that individuals with any type of disability, including Huntington's disease, receive under the programs or source specified in subdivision 1. a. to d.

(9k) GRANT TO COMMUNITY HEALTH CENTER.

(a) Subject to paragraph (b), the department of health and family services shall award $1,000,000 in fiscal year 1999–2000 as a grant to a community health center that is located in a 1st class city and that emphasizes the health care needs of minority group members, as defined in section 146.185 (1) (f) of the statutes, as created by this act, high–risk pregnant women, infants, children and the elderly.

(b) The department of health and family services may not award the grant under paragraph (a) unless the department submits to the cochairpersons of the joint committee on finance a report that details the amount of the proposed grant and the services to be provided under the grant by the community health center. If the cochairpersons of the committee do not notify the secretary of health and family services within 14 working days after receiving the report that the committee has scheduled a meeting for the purpose of reviewing the report, the department of health and family services shall award the grant under paragraph (a). If, within 14 working days after receiving the report, the cochairpersons notify the secretary of health and family services that the committee has scheduled a meeting for the purpose of reviewing the report, the department of health and family services may award the grant under paragraph (a) only if, and to the extent that, it is approved by the committee.

(9m) FACILITY PAYMENTS; WAGE OR SALARY AND FRINGE BENEFITS SUPPLEMENTS.

(a) In addition to any facility payment rate increases for state fiscal years 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m) (a) 3. of the statutes, to increase, beginning July 1, 1999, wages or salaries and fringe benefits for or increase staff hours of nurse's assistants, as determined by the department of health and family services, from the appropriations under section 20.435 (4) (b) and (o) of the statutes the department shall, beginning October 1, 1999, supplement facility payment rates under section 49.45 (6m) (av) of the statutes by an amount not to exceed $8,309,000 in state fiscal year 1999–2000 and $11,078,600 in state fiscal year 2000–01, or by 5% of the total amount of wages reported in the 1998 cost reports of facilities, whichever is less. The department shall calculate each facility's maximum payment per patient day under this paragraph by multiplying by 5% the amount obtained by dividing the total of nurse's assistants' wages or salaries of the facility by the total number of patient days of the facility, as indicated by the facility's 1998 cost reports. Each facility may apply to the department for up to the total maximum amount per patient day calculated for the facility and receive that supplemental amount for each medical assistance day of service provided.

(am) In order to ensure that a supplement provided to a facility under paragraph (a) was expended in accordance with the purpose specified in paragraph (a), the department of health and family services shall prepare a supplemental application form for completion by facilities in applying for the supplement, to determine whether the facility's nurse's assistants' wage or salary and fringe benefits costs per patient day have increased during the period after June 30, 1999, and before July 1, 2000, by a percentage that is at least equal to the percentage of increase under the supplement under paragraph (a). The department shall adjust the required percentage increase to account for all of the following:

1. Any payment rate increase or decrease applicable to the facility that is in effect beginning July 1, 1999, and is other than the supplement under paragraph (a).

2. The fact that the wage supplement percentage increase is based only on wages and salaries, while the cost comparison also includes fringe benefits.

3. Any decrease or increase in the facility's expenditures for contracted labor services.

4. Any change in the facility's patient acuity levels.

5. Whether or not the facility's reporting period corresponds to the supplement payment period.

6. Any other factor that the department determines is relevant and that is readily available in the data base of the department.

Vetoed In Part

(b) In addition to any facility payment rate increases for state fiscal years 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m) (a) 3. of the statutes, to increase, beginning July 1, 1999, wages or salaries and fringe benefits for or increase staff hours of housekeeping and laundry workers, dietitians and food workers, as determined by the department of health and family services, from the appropriations under section 20.435 (4) (b) and (o) of the statutes the department shall, beginning October 1, 1999, supplement facility payment rates under section 49.45 (6m) (av) of the statutes by an amount not to exceed $3,562,300 in state fiscal year 1999–2000 and $4,749,800 in state fiscal year 2000–01, or by multiplying the total amount of the wages reported in the 1998 cost reports of facilities by the percentage obtained under paragraph (bg), whichever is less. The department shall calculate each facility's maximum payment per patient day under this paragraph by multiplying by the percentage obtained under paragraph (bg) the amount obtained by dividing the total of the facility's housekeeping and laundry workers', dieticians' and food workers' wages or salaries by the total number of patient days of the facility, as indicated by the facility's 1998 cost reports. Each facility may apply to the department for up to the total maximum amount per patient day calculated for the facility and receive that supplemental amount for each medical assistance day of service provided.

(bg) The department of health and family services shall determine what percentage of the total amount of facilities' wages for housekeeping and laundry workers, dietitians and food workers reported in the 1998 cost reports of facilities will, in the best estimation of the department, most nearly equal the specified amounts of moneys under paragraph (b).

(bm) In order to ensure that a supplement provided to a facility under paragraph (b) was expended in accordance with the purpose specified in paragraph (b), the department of health and family services shall prepare a supplemental application form for completion by facilities in applying for the supplement, to determine whether the facility's housekeeping and laundry workers', dietitians' and food workers', wage or salary and fringe benefits costs per patient day have increased during the period after June 30, 1999, and before July 1, 2000, by a percentage that is at least equal to the percentage of increase obtained under paragraph (bg). The department shall adjust the required percentage increase to account for all of the following:

1. Any payment rate increase or decrease applicable to the facility that is in effect beginning July 1, 1999, and is other than the supplement under paragraph (b).

Vetoed In Part

2. The fact that the wage supplement percentage increase is based only on wages and salaries, while the cost comparison also includes fringe benefits.

3. Any decrease or increase in the facility's expenditures for contracted labor services.

4. Any change in the facility's patient acuity levels.

5. Whether or not the facility's reporting period corresponds to the supplement payment period.

6. Any other factor that the department determines is relevant and that is readily available in the data base of the department.

(c) If the department of health and family services determines that a supplement under paragraph (a) provided to a facility was not expended as required under paragraph (am) or that a supplement under paragraph (b) provided to a facility was not expended as required under paragraph (bm), the department may recoup that part of the supplement that was not expended as required.

Vetoed In Part

(9n) LIMITATION ON REDUCTION OF REIMBURSEMENT FOR PHARMACEUTICAL DRUGS. During the 1999–2001 fiscal biennium, the department of health and family services may not discount the average wholesale price of pharmaceutical drugs provided under section 49.45 of the statutes to medical assistance recipients by more than 10% if the department reimburses for those pharmaceuticals under a formula that takes into account the average wholesale price, and the department may not reduce pharmacy dispensing fees.

(9q) DENTAL OUTREACH AND EDUCATION. The department of health and family services shall develop a dental outreach and education plan for dentists and medical assistance recipients to educate recipients on the importance of oral health for children and the parent's role in achieving it, how to access dental services, expectations and appropriate behavior in a dental office and the importance of keeping scheduled appointments. The department of health and family services shall develop the plan in consultation with the department of public instruction, the department of workforce development, the Wisconsin dental association, state dental and dental hygiene schools, community health care providers, medical assistance recipients and health care advocates. Not later than January 1, 2000, the department of health and family services shall submit the plan to the governor and to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes. The department of health and family services shall include with the plan a fiscal estimate for implementing the plan on a statewide basis, identifying those components of the plan that would be eligible for funding under federal temporary assistance for needy families block grant funding or federal medical assistance administrative matching funds.

Vetoed In Part

(10e) KINSHIP CARE SUPPLEMENT. From the appropriation under section 20.435 (3) (kc) of the statutes, the department of health and family services shall allocate

Vetoed In Part

$500,000 in fiscal year 1999–2000 to supplement the allocations to counties and, in a county having a population of 500,000 or more, that department under section 48.57 (3m) (am) (intro.) and (3n) (am) (intro.) of the statutes, as affected by this act, in order to prevent the need to place a kinship care relative, as defined in section 48.57 (3m) (a) of the statutes, or a long–term kinship care relative, as defined in section 48.57 (3n) (a) of the statutes, who is eligible for the receipt of payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, on a waiting list for those payments if payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, by a county or, in a county having a population of 500,000 or more, by that department exceed the amount allocated to that county or that department. If payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, by a county or, in a county having a population of 500,000 or more, by the department of health and family services exceed the amount allocated to that county or that department, the county or department may request supplemental funding under this subsection. If the department of health and family services determines that supplemental funding is necessary to eliminate a waiting list for payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, in a county, the department shall supplement the amount allocated to the requesting county or department. Notwithstanding sections 20.001 (3) (c) and 20.435 (3) (kc) of the statutes, the department of health and family services may carry forward to fiscal year 2000–01 the unencumbered balance of the amount allocated under this subsection on June 30, 2000. If the entire amount allocated under this subsection is encumbered before July 1, 2001, the department of health and family services shall request a supplemental appropriation under section 16.515 of the statutes. This subsection does not preclude the department of health and family services from reallocating moneys allocated to a county or, in a county having a population of 500,000 or more, that department under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, in order to address a waiting list in another county.

(11t) KINSHIP CARE ADMINISTRATION. The authorized FTE positions for the department of health and family services are increased by 1.0 PR position on October 1, 1999, or on the effective date of this subsection, whichever is later, to be funded from the appropriation under section 20.435 (3) (kx) of the statutes, for the purpose of providing increased oversight of the kinship care program under section 48.57 (3m) to (3t) of the statutes, as affected by this act. The 1.0 FTE PR position shall provide program oversight and monitoring, serve as a liaison to the department of workforce development and the bureau of Milwaukee child welfare services in the department of health and family services and develop policies and procedures relating to the kinship care program.

(12g) INITIAL APPOINTMENTS OF INDEPENDENT REVIEW BOARD. Notwithstanding the length of terms specified in section 15.195 (9) (intro.) of the statutes, as created by this act, the initial members of the independent review board shall be appointed by the first day of the 4th month beginning after the effective date of this subsection for the following terms:

(a) The purchaser of health care, for a term expiring on May 1, 2001.

(b) The medical ethicist and the privacy expert, for terms expiring on May 1, 2003.

(c) The statistician or researcher, for a term expiring on May 1, 2005.

(12m) GRANT FOR ST. CLARE HEALTH MISSION. The department of health and family services shall award a grant of $50,000 in fiscal year 1999–2000 from the amount appropriated under section 20.435 (4) (gp) of the statutes, as affected by this act, to Franciscan Skemp Health Care, Inc., for health care and disease management services provided by the St. Clare Health Mission.

(13c) MANAGED CARE PILOT PROGRAM FOR CHILDREN IN OUT–OF–HOME CARE IN MILWAUKEE COUNTY. The department of health and family services shall develop a pilot program that integrates the social, behavioral and physical health needs of children placed in out–of–home care in Milwaukee County who are medical assistance recipients under a managed care system. By January 1, 2001, the department of health and family services shall request from the secretary of the federal department of health and human services any waivers of the federal medical assistance statutes and regulations that are necessary to implement the pilot program developed under this subsection as part of the medical assistance program. If all necessary waivers are granted and in effect, the department shall implement the pilot program developed under this subsection in Milwaukee County. Under that pilot program, the department of health and family services may require, consistent with section 49.45 (9) of the statutes, a child who is placed in out–of–home care in Milwaukee County to be enrolled in a managed care plan as a condition of receiving medical assistance. Of the amounts appropriated to the department of health and family services under section 20.435 (4) (n) of the statutes, as created by this act, that department shall expend $22,600 in fiscal year 1999–2000 and $25,600 in fiscal year 2000–01 to increase the authorized FTE positions for that department by 0.5 FED project position, for the period ending on June 30, 2001, for the purpose of developing the pilot program under this subsection.

(13d) SCHOOL MEDICAL SERVICES UNDER MEDICAL ASSISTANCE.

Vetoed In Part

(a) In state fiscal years 1999–2000 and 2000–01, the department of health and family services shall, under section 49.45 (39) (b) of the statutes, reimburse a school dis-

trict and a cooperative educational service agency and shall reimburse the department of public instruction for the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf, for 90% of the federal share received for school–based services under the medical assistance program in excess of $16,100,000. The reimbursement shall be based on the proportion of total school–based services for the school year that was provided by each school district, cooperative educational service agency, the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf.

Vetoed In Part

(b) The department of health and family services shall submit, as part of its 2001–03 biennial budget request, a proposal to the department of administration for fiscal years after state fiscal year 2000–01, to increase the percentage of the federal share received for school–based services under the medical assistance program by which reimbursement is made under section 49.45 (39) (b) of the statutes to reflect the total percentage of the federal share for which school districts, cooperative educational service agencies and the department of public instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf were reimbursed in state fiscal year 1999–2000.

(13e) ADMINISTRATION OF THE STATE SUPPLEMENT TO SUPPLEMENTAL SECURITY INCOME. Not later than March 1, 2000, the department of health and family services shall submit a request to the joint committee on finance under section 13.10 of the statutes to transfer $232,400 not later than June 30, 2000, and $232,400 not later than June 30, 2001, from any appropriation for the department, other than a sum sufficient appropriation, to the appropriation account under section 20.435 (6) (ee) of the statutes for the purpose for which the appropriation is made.

(14e) PRIMARY HEALTH CARE. In state fiscal year 1999–2000, in addition to the moneys appropriated for expenditure for that fiscal year, the department of health and family services shall expend for the purchase of primary health care services under section 146.93 of the statutes, as affected by this act, $300,000 of the unencumbered balance as of June 30, 1999, in the appropriation under section 20.435 (4) (gp) of the statutes, as affected by this act.

(14g) COMMUNITY MARRIAGE POLICY PROJECT. The authorized FTE positions for the department of health and family services are increased by 1.0 PR project position, to be funded from the appropriation under section 20.435 (3) (kx) of the statutes for the period beginning on the first day of the 2nd month beginning after the effective date of this subsection, and ending on September 30, 2003. The positions are increased under this subsection for the purpose of coordinating the development of, and assisting local members of the clergy to develop, community–wide standards for marriages solemnized in this state by members of the clergy.

SECTION 9124. Nonstatutory provisions; historical society.

(1x) GRANT TO PORTAGE COUNTY HISTORICAL SOCIETY. In the 1999–2001 fiscal biennium, the historical society shall award a grant to the Portage County historical society for continuation of the Plover Heritage Park restoration project. The amount of the grant shall be equal to the amount of local contributions toward the project, not to exceed $50,000. The historical society shall award the grant from the appropriation under section 20.245 (3) (b) of the statutes, as created by this act.

SECTION 9125. Nonstatutory provisions; Housing and Economic Development Authority.

(1) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. In fiscal year 1999–2000, the Wisconsin Housing and Economic Development Authority shall transfer from the housing rehabilitation loan program administration fund to the Wisconsin development reserve fund the lesser of $5,845,215 or the amount needed to cover the guaranteed default amount of the loan to the Taliesin Preservation Commission.

SECTION 9126. Nonstatutory provisions; insurance.

(4g) RULES ON POINT–OF–SERVICE OPTION PLANS. The commissioner of insurance shall submit in proposed form the rules required under section 609.10 (6) 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 12th month beginning after the effective date of this subsection.

SECTION 9127. Nonstatutory provisions; investment board.

(1g) BONUS COMPENSATION PAID TO CERTAIN EMPLOYES OF THE INVESTMENT BOARD. Any employe of the investment board who was awarded a bonus before the effective date of this subsection under section 25.156 (6), 1997 stats., pursuant to a plan of bonus compensation adopted by the investment board, shall be entitled to receive any unpaid part of the bonus as provided under the terms of the plan of bonus compensation, provided that the employe satisfies all conditions specified in section 25.156 (6) and (7), 1997 stats.

(2g) OPERATING EXPENDITURES FOR INVESTMENT BOARD DURING THE 1999–2000 FISCAL YEAR.

(a) In this subsection, "operating expenditures" include all costs and expenses incurred by the investment board for the purpose of operating the board and managing the assets of each fund for which the board has management responsibility, but does not include costs or expenses incurred under section 25.18 (1) (a), (c), (f) or (m) or (2) (d) or (e) or 40.04 (3) (intro.) of the statutes.

(b) Notwithstanding section 25.187 of the statutes, as created by this act, no later than the first day of the 2nd month that occurs after the effective date of this para-

graph, the investment board shall estimate the amounts required for its operating expenditures for the 1999–2000 fiscal year and shall assess each fund for which the board has management responsibility for its share of the estimated operating expenditures in an equitable manner. The board shall pay the assessment from the current income of each fund, unless an appropriation is made for payment of the assessment, in which case the assessment shall be paid from that appropriation account. The total amount that the board may assess the funds for which the board has management responsibility for the 1999–2000 fiscal year may not exceed $14,498,600. For the purposes of this paragraph, the board shall determine the total market value of the assets of the funds according to the methodology used to determine the market value of the fixed retirement investment trust under section 25.17 (14) of the statutes.

(c) The investment board shall transmit a notice of each assessment to each fund at the time that the assessment is made, and shall transmit a statement of the board's actual expenditures for management of each fund at the close of the 1999–2000 fiscal year both to the state agency having primary responsibility for expenditure of principal or earnings of the fund and to the department of administration or, if there is no state agency, only to the department of administration.

SECTION 9130. Nonstatutory provisions; justice.

Vetoed In Part

(1t) LAW ENFORCEMENT TRAINING FOR TOMORROW PROGRAM. Of the moneys appropriated to the department of justice under section 20.455 (2) (ja) of the statutes, $388,100 for fiscal year 1999–2000 and $345,100 in fiscal year 2000–01 is allocated to implement the Training for Tomorrow program for revising and expanding law enforcement training and may not be encumbered or expended unless the department of justice first submits to the cochairpersons of the joint committee on finance a written plan for the use of the allocated funds. If the cochairpersons of the committee do not notify the department within 14 working days after the date of submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented as proposed by the department. If, within 14 working days after the date of submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented only upon approval of the committee.

(2e) GAMING LAW ENFORCEMENT POSITION AUTHORIZATION. The authorized FTE positions for the department of justice are increased by 2.75 GPR positions to be funded from the appropriation under section 20.455 (2) (fm) of the statutes, as created by this act, for the purpose of gaming law enforcement.

Vetoed In Part

(2m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER COMPLAINTS. Not later than the first day of the 13th month after the effective date of this subsection, the department of justice shall enter into a memorandum of understanding with the department of agriculture, trade and consumer protection and the public service commission for the purpose of coordinating each party's efforts to respond to and address consumer complaints regarding telecommunication services.

Vetoed In Part

SECTION 9131. Nonstatutory provisions; legislature.

(1g) AUDIT OF EMERGENCY RESPONSE PROGRAMS. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to perform a financial and performance evaluation audit of the programs in the department of military affairs, division of emergency management, funded under section 20.465 (3) (dd), (dh), (dp), (dr), (dt), (jt) and (t) of the statutes. If the committee directs the legislative audit bureau to perform the requested audit, the bureau shall file its report as described under section 13.94 (1) (b) of the statutes by January 31, 2000.

(1t) AUDIT OF MILWAUKEE CHILD WELFARE ADMINISTRATION. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to perform a performance evaluation audit of the administration of child welfare services in Milwaukee County by the department of health and family services. If the committee directs the legislative audit bureau to perform the audit, the audit shall include an evaluation of the use of private agencies in providing those child welfare services; the provision of services to children who are placed in out–of–home care, including case management services and services provided to the families of those children; safety services provided to children who are placed in their own homes; and the use of termination of parental rights and adoption as a permanency planning goal for children who are placed in out–of–home care. If the committee directs the legislative audit bureau to perform the audit, the bureau shall file its report as described under section 13.94 (1) (b) of the statutes by January 1, 2003.

(1x) ECONOMIC DEVELOPMENT AUDIT.

Vetoed In Part

(a) The joint legislative audit committee is requested to consider requesting the legislative audit bureau to perform a performance evaluation audit of the state's economic development programs to determine whether the state:

1. Has a comprehensive economic development strategy that enables the state to compete effectively with other states.

2. Has a comprehensive state economic development budget that accounts for development–related expenditures by all relevant agencies and that plans adequately for future economic development investments.

3. Is using both tax policies and performance–based incentives to foster and improve future competition and economic growth.

Vetoed In Part

4. Has existing incentive programs that complement and further the state's overall economic development goals.

5. Clearly defines strategic economic development goals for the state's economic development finance programs and manages and monitors the programs on that basis.

6. Could effectively implement a performance–based economic development strategy.

(b) If the joint legislative audit committee requests the legislative audit bureau to perform an audit and the bureau performs an audit, the bureau shall file its report as provided in section 13.94 (1) (b) of the statutes.

(2g) FINANCIAL AUDITS OF THE MEDICAL COLLEGE OF WISCONSIN AND THE UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION.

(a) Beginning on July 1, 2001, the legislative audit bureau shall conduct a financial audit of the Medical College of Wisconsin that examines the use of funds appropriated under section 20.250 (1) (k) of the statutes, as created by this act, and shall file its report as described under section 13.94 (1) (b) of the statutes by June 30, 2002.

(b) Beginning on July 1, 2000, the legislative audit bureau shall conduct a financial audit of the tobacco research and intervention center at the University of Wisconsin–Madison that examines the use of funds appropriated under section 20.285 (1) (kr) of the statutes, as created by this act, and shall file its report as described under section 13.94 (1) (b) of the statutes by June 30, 2001.

(2t) AUDIT OF AIR MANAGEMENT PROGRAM. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to perform a performance evaluation audit of the department of natural resource's air management program, including a comparison of federally required aspects of the program and aspects required only by state law. If the committee directs the legislative audit bureau to perform an audit, the bureau shall file its report as described in section 13.94 (1) (b) of the statutes.

(3e) RADIO BODY ALARM SYSTEM FOR MENDOTA MENTAL HEALTH INSTITUTE.

(a) In this subsection:

1. "Hertz" means a unit of frequency equal to one cycle per second.

2. "Megahertz" means a unit of frequency equal to 1,000,000 hertz.

(b) During state fiscal biennium 1999–2001, from the appropriation under section 20.865 (4) (a) of the statutes, the joint committee on finance may, notwithstanding section 13.101 (3) (a) (intro.), 1. and 2. of the statutes, supplement the appropriation to the Mendota Mental Health Institute under section 20.435 (2) (a) of the statutes, as affected by this act, by $233,000 for the purchase or lease, as recommended by the committee, of an 800 megahertz radio body alarm system for use by staff members of the institute who have direct contact with patients.

(3m) EVALUATION OF FAMILY CARE PILOT PROJECTS. As soon as possible, the legislative audit bureau shall contract with an organization other than an agency of the state to evaluate the pilot projects under section 46.281 (1) (d) of the statutes, as created by this act, and pilot projects under SECTION 9123 (1n) of this act as to cost–effectiveness, client access to services and quality of care. The evaluation shall compare the costs of care in a nursing home, as defined in section 50.01 (3) of the statutes, to the costs of care in a community setting and shall provide a breakdown of individual costs involved.

(3z) STUDY OF SPECIAL TRANSFER PROGRAM. The joint legislative council is requested to conduct a study of the special transfer program under subchapter VI of chapter 121 of the statutes. If the joint legislative council conducts the study, it shall report its findings, conclusions and recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes by July 1, 2000.

(4c) GRADUATE MEDICAL EDUCATION STUDY. The joint legislative council is requested to conduct a study to explore funding sources alternative to assessments imposed on hospitals to support the training of providers that serve medical assistance recipients or practice in areas of the state that have a shortage of health care providers, including the feasibility of establishing a trust fund for graduate medical education to provide a broadly based funding source of state, federal and private funds. If the joint legislative council conducts the study, it shall report its findings, conclusions and recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes by January 1, 2001.

SECTION 9135. Nonstatutory provisions; military affairs.

(1z) REQUEST FOR ADDITIONAL FUNDING FOR TUITION GRANT PROGRAM. If the department of military affairs determines that the amount appropriated under section 20.465 (2) (a) of the statutes for the payment of national guard tuition grants is anticipated to be insufficient to fully fund the eligible tuition costs under section 21.49 of the statutes in fiscal year 1999–2000 or in fiscal year 2000–01, the department shall, during that fiscal year, request the additional funding necessary to fully fund the eligible tuition costs from the joint committee on finance.

(2e) BADGER CHALLENGE PROGRAM. The authorized FTE positions for the department of military affairs are increased by 0.90 GPR position, to be funded from the appropriation under section 20.465 (4) (b) of the statutes, and 0.10 PR position, to be funded from the appropriation under section 20.465 (4) (k) of the statutes, for a mentorship coordinator in the Badger Challenge program. In 2000–01 the authorized FTE positions for the department of military affairs are decreased by 0.15 GPR position

and increased by 0.15 PR position to reflect modified funding of the mentorship coordinator position.

SECTION 9136. Nonstatutory provisions; natural resources.

(1) RULES FOR SAFETY PROGRAMS OF INSTRUCTION. The department of natural resources may use the procedure under section 227.24 of the statutes to promulgate rules under sections 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and 350.055 of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until April 1, 2000, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) EMERGENCY RULES FOR BROWNFIELD SITE ASSESSMENT GRANT PROGRAM. Using the procedure under section 227.24 of the statutes, the department of natural resources shall promulgate rules required under section 292.75 of the statutes, as created by this act, for the period before permanent rules become effective, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

Vetoed In Part

(2e) STUDY OF LANDFILL REMEDIATION. The department of natural resources shall enter into a contract for a study of the landfill cleanup issue in this state. The study shall identify all closed landfills and estimate the cost of remedial action at all of those landfills. The department of natural resources shall also identify potential mechanisms for funding that remedial action, including mechanisms used successfully in other states. The department 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 January 1, 2001.

(2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2001–03 biennial budget bill, the department of natural resources shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of the statutes that is $325,000 less than the total amount appropriated under section 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any information relating to any increase or decrease in the dollar amount for that appropriation for the 2001–03 fiscal biennium.

(3) RULES CONCERNING NATURAL ATTENUATION OF GROUNDWATER CONTAMINATION. Using the procedure under section 227.24 of the statutes, the department of natural resources shall promulgate the rules required under section 292.15 (2) (ae) of the statutes, as created by this act, for the period before the effective date of the permanent rules under that provision, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this subsection is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this subsection.

(3d) FUNDING AND POSITIONS FOR AIR POLLUTION CONTROL CONSTRUCTION PERMIT PROGRAM. If a rule modifying the fees under section 285.69 (1) (a) of the statutes for reviewing and acting upon air pollution control construction permits takes effect during the 1999–2001 fiscal biennium, the department of natural resources shall do all of the following:

(a) Request the governor under section 16.505 of the statutes to increase the authorized level of full–time equivalent positions funded from the appropriation account under section 20.370 (2) (ci) of the statutes for reviewing and acting upon air pollution control construction permits.

(b) Request the secretary of administration under section 16.515 of the statutes to supplement the appropriation under section 20.370 (2) (ci) of the statutes for the purpose of increasing funding for reviewing and acting upon air pollution control construction permits.

(3x) WASTEWATER DISCHARGE FEES.

(a) *Report.* The department of natural resources shall prepare a report on wastewater discharge fees under section 299.15 (3) (am) of the statutes. The department shall include any recommendation for statutory changes needed to implement section 299.15 (3) (e) of the statutes, as created by this act. The department shall submit its report to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes and to the joint committee on finance no later than May 1, 2000.

(b) *Rules.* The department of natural resources shall submit in proposed form the rules required under section 299.15 (3) (e) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than May 1, 2000, and shall promulgate the rules no later than January 1, 2001, unless action by the legislature under chapter 227 of the statutes prevents the department from meeting this deadline.

(3yt) RULES RELATED TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The department of natural resources shall submit in proposed form any changes in its rules necessary to conform to the rules under section

101.143 (2) (h), (i) and (j) of the statutes, as created by this act, to the legislature under section 227.19 of the statues no later than June 1, 2000.

(4) DRINKING WATER STUDY. During the 1999–2001 fiscal biennium, the department of natural resources shall provide a grant from the appropriation under section 20.370 (6) (ck) of the statutes, as created by this act, to the town of Swiss, Burnett County, and the St. Croix band of Chippewa for a study to determine the best technological approaches to addressing water quality problems threatening drinking water and overall water quality problems of the St. Croix, Namekagon and Yellow rivers and for engineering design and feasibility activities related to construction of wastewater and drinking water treatment facilities. The town and the band shall submit a report describing the findings of the study to the department of natural resources and the department of administration no later than January 1, 2001.

(4x) LAND RECYCLING LOAN FOR THE CITY OF KENOSHA.

(a) Except as provided in paragraph (b), the department of natural resources and the department of administration shall provide a loan bearing no interest under section 281.60 of the statutes to the city of Kenosha in the amount of $3,000,000. Section 281.60 (2r) to (11) of the statutes, as affected by this act, does not apply to the loan under this paragraph. The department of natural resources, the department of administration and the city of Kenosha shall enter into a financial assistance agreement that specifies the use of the loan, the terms of repayment of the loan and a schedule for the dispersal of funds and for completion of the activities to be funded by the loan.

Vetoed In Part

(b) Paragraph (a) does not apply if the department of natural resources, the department of administration and the city of Kenosha do not enter into the financial assistance agreement before July 1, 2000.

(5) RADIO SERVICES.

(a) *Position increases.* The authorized FTE positions for the department of natural resources are decreased by 7.0 SEG positions, funded from the appropriation under section 20.370 (8) (mu) of the statutes, for the performance of duties primarily related to radio services.

(b) *Employe transfers.* There are transferred from the department of natural resources to the department of transportation 7.0 FTE incumbent employes holding positions in the department of natural resources performing duties primarily related to radio services.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of transportation that they enjoyed in the department of natural resources immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Payments to the department of transportation.* If the department of transportation provides radio services to the department of natural resources under section 85.12 of the statutes in fiscal years 1999–2000 and 2000–01, the department of natural resources shall make payments to the department of transportation for these services from the appropriations under section 20.370 (8) (mt) of the statutes, as affected by this act, and section 20.370 (8) (mu) of the statutes on the first day of each quarter of fiscal years 1999–2000 and 2000–01, except that the department of natural resources shall make its first payment in fiscal year 1999–2000 on July 31, 1999, or 10 days after the effective date of this paragraph, whichever occurs later.

(6) DATABASE OF PROPERTIES ON WHICH GROUNDWATER STANDARDS ARE EXCEEDED. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate a rule under section 292.57 (2) of the statutes, as created by this act, for the period before the effective date of the rule promulgated under section 292.57 (2) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(6g) LOCAL GOVERNMENTAL UNIT NEGOTIATION AND COST RECOVERY PROCESS. No later than January 1, 2001, the department of natural resources shall submit to the legislature, in the manner provided under section 13.172 (2) of the statutes, proposed legislation to make the process for local governmental unit negotiation and cost recovery under section 292.35 of the statutes more efficient and clear. The department shall propose legislation that includes provisions that do all of the following:

(a) Provide a more efficient method of providing notice to all parties.

(b) Clarify the liability provisions.

(c) Clarify the provisions related to the identification of responsible parties.

(d) Provide local governmental units with a clear method of dealing with information discovered late in the negotiation and cost recovery process.

(e) Require responsible parties to state the basis for their objection to a local governmental unit's offer to settle before seeking designation of an umpire.

(f) Require potential umpires to be environmental experts.

(g) Require an umpire to submit a proposed recommendation under section 292.35 (6) (a) of the statutes and give the parties a period for making comments before the umpire finalizes the recommendation.

Vetoed In Part

(6h) BIBLIOGRAPHY OF GROUNDWATER INFORMATION. During the 1999–2001 fiscal biennium, the department of natural resources shall create a bibliography of information, on a geographic basis, that identifies all sources of general and site–specific information about groundwater.

(7) STUDY OF LAND APPLICATION OF SEPTAGE. The department of natural resources shall study this state's program for regulating the application of septage to land. No later than September 1, 2000, the department shall submit a report presenting the results of the study, including relevant data, identification of problems and recommendations to improve the program, to the legislature in the manner provided in section 13.172 (2) of the statutes, to the governor and to the department of administration.

Vetoed In Part

(7g) RULES FOR URBAN STORM WATER LOAN PROGRAM. The department of natural resources shall submit in proposed form the rules required under section 281.595 (12) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than February 1, 2000, and shall promulgate the rules no later than December 31, 2000, unless action by the legislature under chapter 227 of the statutes prevents the department from meeting this deadline.

(8tt) AIR EMISSION FEE RULES. The department of natural resources shall submit in proposed form the rules required under section 285.69 (2) (a) 7. to 11. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than July 1, 2001, and shall promulgate the rules no later than March 1, 2002, unless action by the legislature under chapter 227 of the statutes prevents the department from meeting this deadline.

(8tu) AIR EMISSION FEE STATUTORY CHANGES. Notwithstanding section 16.42 (1) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2001–03 biennial budget act, the department of natural resources shall include any proposed statutory changes that the department determines are necessary to implement the proposed rules under section 285.69 (2) (a) 7. to 11. of the statutes, as created by this act.

(8tv) ADVISORY COMMITTEE FOR AIR MANAGEMENT PERFORMANCE STANDARDS. The natural resources board shall establish a committee under section 15.04 (1) (c) of the statutes to advise the department of natural resources in the development of the performance measurements under section 285.11 (18) of the statutes, as created by this act. The board shall include on the committee industry representatives who are knowledgeable about performance and productivity assessment in the area of environmental management, as well as other interested persons.

(9) GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the appropriation under section 20.370 (6) (br) of the statutes, as affected by this act, the department of natural resources shall award the following grants to the Wheelchair Recycling Project, a part of the Madison chapter of the National Spinal Cord Injury Association, for the purpose of refurbishing used wheelchairs and other mobility devices and returning them to use by persons who otherwise would not have access to needed or appropriate equipment:

(a) On the first day of the first month beginning after the effective date of this paragraph, $75,000.

(b) On July 1, 2000, $50,000.

(9c) OCONTO COUNTY BOAT LANDING PROJECT. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide to Oconto County funding for a boat landing and breakwall in Park 2 in Oconto County. Oconto County and the department shall contribute funding for the project. The department's contribution shall equal 80% of the project's costs or $727,200, whichever is less. Oconto County's contribution may be in matching funds or may be in–kind contributions or both. The amount expended under this subsection shall be considered an expenditure for a Great Lakes project as provided in section 30.92 (4) (b) 6. of the statutes. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001.

(9cm) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the appropriation account under section 20.370 (6) (br) of the statutes, 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 opening a facility in Milwaukee for 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 June 15, 2000, $100,000, if the project raises $100,000 for this purpose from any source by June 15, 2000.

(b) On June 15, 2001, $100,000, if the project raises $100,000 for this purpose from any source by June 15, 2001, in addition to the $100,000 required under paragraph (a).

(9d) MCDILL LAKE DREDGING PROJECT. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural resources shall provide to the McDill Inland Lake Protection and Rehabilitation Dis-

Vetoed In Part

trict the amount that is necessary for the dredging of McDill Lake in Portage County but the amount may not exceed $250,000. The McDill Inland Lake Protection and Rehabilitation District shall contribute funding for the project equal to 50% of the project's cost. The McDill Inland Lake Protection and Rehabilitation District's contribution may be in matching funds or may be in–kind contributions or both. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, the dredging project specified under this subsection qualifies as a recreational boating project for the purpose of expending moneys under this subsection. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001.

(9f) RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide $350,000 to the city of Janesville for a project to develop the riverfront parkway that includes the development of a marina with a boat launch and transient boat slips. The amount expended under this subsection shall be considered an expenditure for an inland water project under section 30.92 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 4., 7. or 8. of the statutes, the project specified under this subsection qualifies as a recreational boating project for the purpose of expending moneys under this subsection. Notwithstanding section 30.92 (4) (b) 2. of the statutes, the city of Janesville need not contribute any moneys to match the amount expended from the appropriation under section 20.370 (5) (cq) of the statutes. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2001.

(9g) MILWAUKEE HARBOR PROJECT. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide to Milwaukee County funding for a dredging project of a navigable channel on Lake Michigan within Milwaukee harbor. Milwaukee County and the department shall contribute funding for the project. The department shall contribute funding for the project equal to 50% of the project's cost or $212,000, whichever is less. Milwaukee County's contribution may be in matching funds or may be in–kind contributions or both. The amount expended under this subsection shall be considered an expenditure for a Great Lakes project as provided in section 30.92 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 7. or 8. of the statutes, the dredging project specified under this subsection qualifies as a recreational boating project for the purpose of expending moneys under this subsection. The project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2000.

Vetoed In Part

(9s) KEMPER CENTER EROSION CONTROL STUDY. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide to Kenosha County $50,000 for an erosion control study under section 30.92 (2) of the statutes of a park owned by Kenosha County that is located on the shores of Lake Michigan in the city of Kenosha and that is known as Kemper Center. Notwithstanding section 30.92 (4) (b) 2. of the statutes, Kenosha County need not contribute any moneys to match the amount expended from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. The Wisconsin waterways commission need not approve the study under section 30.92 (2) (a) of the statutes. This subsection does not apply after June 30, 2000.

(10d) URBAN FORESTRY GRANT FOR MILWAUKEE. From the appropriation under section 20.370 (5) (bw) of the statutes, the department of natural resources shall provide $50,000 in fiscal year 1999–2000 and $50,000 in fiscal year 2000–01 to the city of Milwaukee for a tree planting demonstration project.

(10g) STEWARDSHIP PROGRAMS. The department of natural resources may promulgate emergency rules under section 227.24 of the statutes implementing sections 23.09 (20m) and 30.24 of the statutes, as created by this act. The department may also promulgate emergency rules under section 227.24 of the statutes implementing any provisions of section 23.0915 of the statutes, as affected by this act, or section 23.0917 of the statutes, as created by this act, if the rules are necessary for the department to act as authorized or required under section 23.0915 of the statutes, as affected by this act, or section 23.0917 of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules promulgated under this subsection may remain in effect until June 30, 2001, or until the date on which the permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(10m) STUDY ON WILD CRANES. From the appropriation under section 20.370 (1) (Lk) of the statutes, as created by this act, the department of natural resources shall provide in fiscal year 1999–2000 a total of $55,000 and in fiscal year 2000–01 a total of $60,000 to the University of Wisconsin and the International Crane Foundation jointly for a study of crop damage caused in this state by cranes. The study shall be completed before July 1, 2001.

(10v) ADMINISTRATIVE FUNDING LIMIT. The department of natural resources shall, on or before

April 1, 2000, under section 13.101 of the statutes, request that the joint committee on finance change the authorized level of full–time equivalent positions in the department, or portions of those positions, and transfer funds between appropriations as a result of the expenditure limit imposed under section 25.29 (3m) of the statutes, as created by this act. Notwithstanding section 13.101 (3) (a) of the statutes, the committee is not required to find that an emergency exists before acting upon any such request.

(10z) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of natural resources shall set aside in fiscal year 1999–2000, from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, $300,000 for the Southeastern Wisconsin Fox River commission. The commission may use these funds for its activities authorized under subchapter VI of chapter 33 of the statutes and for providing matching funding for any grants that the commission may be able to obtain. This subsection does not apply after June 30, 2001.

Vetoed In Part

(11d) SCENIC DEVELOPMENT ALONG ST. CROIX. From the appropriation under section 20.370 (5) (bw) of the statutes, the department of natural resources in fiscal year 1999–2000 shall provide an urban forestry grant of $10,000 to the city of Hudson for scenic development along the St. Croix River adjacent to the wastewater treatment plant that is located on STH 35. The scenic development is considered to be a tree project for purposes of section 23.097 of the statutes. The city of Hudson does not need to contribute any matching funding for this grant.

(11g) FORESTRY DIVISION POSITION. The authorized FTE positions for the department of natural resources are increased by 1.0 SEG position, to be funded from the appropriation under section 20.370 (1) (mu) of the statutes for the purpose of the administration of the division of forestry in the department of natural resources.

Vetoed In Part

(11m) USE OF TRUST FUND. The department of natural resources may not direct that any funds in the trust fund established under the case of *State v. Menard, Inc.*, Eau Claire County Circuit Court case number 97 CF 657, be used to provide grants for municipal household hazardous waste disposal programs until the joint committee on finance approves an expenditure plan for those funds. The department shall ensure that any funds remaining in the trust fund on December 31, 2002, are paid into the common school fund.

SECTION 9139. Nonstatutory provisions; public instruction.

(1d) NEWSLINE. In consultation with the Wisconsin Regional Library for the Blind and Physically Handicapped in the city of Milwaukee, the department of public instruction shall enter into a 2–year extension of the contract specified in 1997 Wisconsin Act 27, section 9140 (5m), with the National Federation of the Blind to provide the Newsline electronic information service. The department of public instruction shall use the moneys transferred to the appropriation account under section 20.255 (1) (ke) of the statutes under SECTION 9241 (1d) of this act to pay the costs incurred under this subsection.

(1e) DEFINITION OF STATE SCHOOL AIDS. Notwithstanding section 121.15 (3m) (a) 2. of the statutes, as affected by this act, the definition of state school aids under section 121.15 (3m) (a) 2. of the statutes, as affected by this act, includes all of the following:

(a) In the 1999–2000 school year, $927,100.

(b) In the 2000–01 school year, $1,695,700.

(1f) NATIONAL TEACHER CERTIFICATION. Notwithstanding section 115.42 (1) (b) of the statutes, as created by this act, if a person who is eligible for a grant under section 115.42 (1) (a) of the statutes became certified by the National Board for Professional Teaching Standards before the effective date of this subsection, the department of public instruction shall award the grant under section 115.42 (1) of the statutes in the 1999–2000 fiscal year.

(2c) TRANSITION PLAN; WISCONSIN CENTER FOR THE BLIND AND VISUALLY IMPAIRED. The state superintendent of public instruction shall prepare a transition plan that sets forth specific funding and staffing recommendations for the operation of the Wisconsin Center for the Blind and Visually Impaired and describe the appropriate steps for phasing in the appropriate program modifications. The state superintendent shall consult with the blind and visual impairment education council in the preparation of the plan. The blind and visual impairment education council shall review the plan. The state superintendent shall submit the plan to the governor no later than the first day of the 7th month beginning after the effective date of this subsection. The state superintendent shall also simultaneously submit a copy of the plan to the legislature in the manner provided under section 13.172 (2) of the statutes.

(2cc) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. Notwithstanding the length of term specified in section 15.377 (1) (c) of the statutes, as affected by this act, the initial members of the blind and visual impairment education council appointed under section 15.377 (1) (c) 4. and 7. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring on July 1, 2000; the initial members appointed under section 15.377 (1) (c) 5. and 8. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as affected

by this act, one of the members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring on July 1, 2001, and the initial member appointed under section 15.377 (1) (c) 6. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as affected by this act, one of the members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring on July 1, 2002.

(2d) STATE AID FOR DEBT SERVICE. Notwithstanding section 67.05 (6a) (a) 2. and (b) of the statutes, a school board shall hold a referendum before June 30, 2001, on an initial resolution to raise an amount of money by a bond issue if any portion of bond proceeds are to be used to fulfill a contract under section 118.43 of the statutes. The copy of the resolution included in the ballot shall identify the amount of the bond proceeds that will be used to fulfill the contract under section 118.43 of the statutes.

Vetoed In Part

(2g) AGRICULTURAL EDUCATION CONSULTANT. The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (1) (q) of the statutes, are increased by 1.0 SEG position for an agricultural education consultant.

(3d) HIGH SCHOOL GRADUATION EXAMINATION. The authorized FTE positions for the department of public instruction are increased by 4.0 GPR project positions, to be funded from the appropriation under section 20.255 (1) (dw) of the statutes, for the purpose of developing the high school graduation examination, for the period beginning on January 1, 2000, and ending on December 31, 2001.

(3x) RESIDENTIAL SCHOOL PLANNING GRANT.

(a) Notwithstanding section 118.153 (4) (b) of the statutes, the department of public instruction shall withhold from the school board of the school district operating under chapter 119 of the statutes $100,000 of the amount to which the school board is entitled under that section in the 1999–2000 fiscal year.

(b) From the appropriation under section 20.255 (2) (bc) of the statutes, as affected by this act, the department of public instruction shall award a grant of $100,000 to the Foundation of Schools for Educational Evolution and Development for the purpose of planning a residential school in southeastern Wisconsin.

SECTION 9140. Nonstatutory provisions; public lands, board of commissioners of.

(1d) TRUST FUND LOANS. No later than December 1, 1999, the board of commissioners of public lands shall submit a report to the cochairpersons of the joint committee on finance detailing the accounting and administrative actions taken by the board to permit the acceptance of advance payments of loans during any repayment period under section 24.63 (4) of the statutes, as affected by this act.

SECTION 9141. Nonstatutory provisions; public service commission.

(1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.

(a) In this subsection:

1. "Board" means the technology for educational achievement in Wisconsin board.

2. "Commission" means the public service commission.

3. "Secretary" means the secretary of administration.

(b) During the period beginning on the effective date of this paragraph and ending on the first day of the 3rd month beginning after the effective date of this paragraph, the commission shall cooperate with the board in providing orderly and efficient transfers under this subsection. On the first day of the 3rd month beginning after the effective date of this paragraph, all of the following apply:

1. All rules that have been promulgated by the commission under section 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and shall remain in effect until their specified expiration dates or until amended or repealed by the board. All determinations that have been made by the commission under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts shall become determinations of the board and shall remain in effect until modified or rescinded by the board.

2. Any matter relating to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., that is pending with the commission is transferred to the board, and all materials submitted to or actions taken by the commission with respect to the pending matter are considered to have been submitted to or taken by the board.

3. All tangible personal property, including records, of the commission pertaining to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., as determined by the secretary, is transferred to the board.

4. All contracts entered into by the commission in effect on the effective date of this subdivision pertaining to the administration of the educational telecommunications access program under section 196.218 (4r), 1997 stats., as determined by the secretary, remain in effect and are transferred to the board. The board shall carry out any obligations under such a contract until the contract is modified or rescinded by the board to the extent allowed under the contract.

5. The assets and liabilities of the commission pertaining to the administration of the educational telecommunications access program under section 196.218 (4r),

1997 stats., as determined by the secretary, shall become the assets and liabilities of the board.

(2zt) RENEWABLE RESOURCES, ENVIRONMENTAL IMPACT AND RELIABILITY STATUS RULES.

(a) Using the procedure under section 227.24 of the statutes, the public service commission shall promulgate the rules required under sections 196.025 (2) and (3) and 196.378 (3) (a) of the statutes, as created by this act, for the period before the effective date of the permanent rules promulgated under that section, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the commission is not required to make a finding of emergency.

(b) The public service commission shall submit in proposed form the rules required under sections 196.025 (2) and (3) and 196.378 (3) (a) 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 6th month beginning after the effective date of this paragraph.

Vetoed In Part

(5m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER COMPLAINTS. Not later than the first day of the 13th month after the effective date of this subsection, the public service commission shall enter into a memorandum of understanding with the department of agriculture, trade and consumer protection and the department of justice for the purpose of coordinating each party's efforts to respond to and address consumer complaints regarding telecommunication services.

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.

(2t) INITIAL APPOINTMENTS TO THE ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD.

(a) Notwithstanding section 15.406 (4) of the statutes, as created by this act, the initial athletic trainer members of the athletic trainers affiliated credentialing board need not be licensed under subchapter VI of chapter 448 of the statutes, as created by this act, to be appointed to and serve as members of the affiliated credentialing board until the first day of the 13th month beginning after the effective date of this paragraph.

(b) Notwithstanding section 15.406 (4) of the statutes, as created by this act, the initial members of the athletic trainers affiliated credentialing board shall be appointed by the first day of the 4th month beginning after the effective date of this paragraph for the following terms:

1. One athletic trainer member and one member who is licensed to practice medicine and surgery under subchapter II of chapter 448 of the statutes, for terms expiring on July 1, 2000.

2. One athletic trainer member, for a term expiring on July 1, 2001.

3. One public member and one athletic trainer member, for terms expiring on July 1, 2002.

4. One athletic trainer member, for a term expiring on July 1, 2003.

SECTION 9143. Nonstatutory provisions; revenue.

(1x) INTEGRATED TAX SYSTEM. The department of revenue shall submit a report to the joint committee on finance, by January 1, 2002, that identifies any additional revenue that has been generated by the implementation of the integrated tax system, as created under 1997 Wisconsin Act 27, section 9143 (4z), and as affected by this act.

(2t) RELEASE OF CERTAIN LOTTERY RETAILER COMPENSATION APPROPRIATIONS.

(a) The department of revenue may not encumber or expend moneys appropriated to it under section 20.566 (8) (r) of the statutes for the purpose of providing additional compensation to lottery retailers under the retailer performance program until the department of revenue submits a retailer performance program plan based upon administrative rules proposed under section 565.02 (4) (g) of the statutes, as created by this act, to the joint committee on finance.

(b) If the cochairpersons of the committee do not notify the department of revenue within 14 working days after the date of the department's submittal under paragraph (a) that the committee has scheduled a meeting for the purpose of reviewing the retailer performance program plan submitted under paragraph (a), the secretary of administration shall direct that the moneys may be encumbered or expended. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the moneys may be encumbered or expended only upon approval of the plan by the committee.

Vetoed In Part

(3b) REAL ESTATE TRANSFER FORM.

(a) The department of revenue shall identify nonessential items on the real estate transfer form and, based on

Vetoed In Part

that identification, develop a simplified real estate transfer form.

(b) By January 1, 2000, the department of revenue shall submit the simplified real estate transfer form developed under paragraph (a) to the cochairpersons of the joint committee on finance. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the form's submittal that the committee has scheduled a meeting for the purpose of reviewing the form, the form may be implemented as proposed by the department. If, within 14 working days after the date of the form's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed form, the form may be implemented only upon approval of the committee.

(3c) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal Revenue Code made by Public Laws 105–178, 105–206 and 105–277 apply to the definitions of "Internal Revenue Code" in chapter 71 of the statutes, as affected by this act, at the time that the changes apply for federal income tax purposes.

(3d) RECYCLING SURCHARGE; RULES.

(a) The department of revenue shall submit in proposed form rules to define "gross receipts" under subchapter VII of chapter 77 of the statutes, as affected 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 revenue may promulgate rules to define "gross receipts" under subchapter VII of chapter 77 of the statutes, as affected 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.

(3dm) RECYCLING SURCHARGE; ADMINISTRATION. The authorized FTE positions for the department of revenue are increased by 1.5 SEG positions, to be funded from the appropriation under section 20.566 (1) (q) for the purpose of administering subchapter VII of chapter 77 of the statutes, as affected by this act.

(3e) LOTTERY GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The authorized FTE positions for the department of revenue are increased by 110.5 GPR positions to be funded from the appropriation under section 20.566 (8) (a) of the statutes, as created by this act, for the purpose of conducting general program operations for the lottery.

(3f) LOTTERY AND GAMING CREDIT POSITION AUTHORIZATION. The authorized FTE positions for the department of revenue are increased by 3.0 GPR positions to be funded from the appropriation under section 20.566 (2) (am) of the statutes, as created by this act, for the purpose of administering the lottery and gaming credit.

(3g) TRANSFER TO LOTTERY FUND. The legislature intends that the amounts transferred from the general fund to the lottery fund under SECTION 9243 (2c) of this act, be used to reimburse the lottery fund for expenditures made from October 1, 1995, to June 30, 1999, from the appropriations under section 20.455 (2) (r), 1995 stats., section 20.566 (2) (r), 1995 stats., section 20.566 (8) (q), (r) and (v), 1995 stats., section 20.835 (2) (q), 1995 stats., section 20.455 (2) (r), 1997 stats., section 20.566 (2) (r), 1997 stats., section 20.566 (8) (q), (r) and (v), 1997 stats., and section 20.835 (2) (q), 1997 stats.

Vetoed In Part

(3gm) POSITION INCREASES, BUSINESS TAX REGISTRATION SYSTEM. The authorized FTE positions for the department of revenue are increased by 3.0 PR positions, to be funded from the appropriation under section 20.566 (1) (gb) of the statutes, for the purpose of performing duties related to the business tax registration system.

Vetoed In Part

(3h) TRANSFERS TO LOTTERY FUND.

Vetoed In Part

(a) There is transferred from the appropriation account under section 20.505 (8) (g) of the statutes to the lottery fund an amount equal to the unencumbered balance in the appropriation account under section 20.505 (8) (g), 1997 stats., on June 30, 1999, after the amounts were transferred under section 20.505 (8) (g) 1. and 1r., 1997 stats., and lapsed to the general fund under section 20.505 (8) (g) 2., 1997 stats., on June 30, 1999.

(b) There is transferred from the general fund to the lottery fund an amount equal to the sum of the amounts transferred under section 20.505 (8) (g) 1. and 1r., 1997 stats., and lapsed to the general fund under section 20.505 (8) (g) 2., 1997 stats., on June 30, 1999.

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(3mv) SHARED REVENUE DISTRIBUTION.

Vetoed In Part

(a) Notwithstanding section 79.03 of the statutes, for the year 2000, the department of revenue shall calculate the shared revenue payments under section 79.03 (4) of the statutes, as affected by this act, based on the total shared revenue distribution to municipalities of $761,478,000 and the total shared revenue distribution to counties of $168,981,800. The department of revenue shall then increase the shared revenue payments for all municipalities and counties by a uniform percentage so that the total amount of shared revenue payments under section 79.03 (4) of the statutes distributed to municipalities is $776,707,600 in the year 2000 and the total amount of shared revenue payments under section 79.03 (4) of the statutes distributed to counties is $172,361 ,400.

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Vetoed In Part

(b) For purposes of calculating the shared revenue distribution to municipalities and counties in 2001, the base amount for determining the minimum and maximum entitlement under section 79.03 (3c) of the statutes is the total shared revenue distribution in the year 2000 as determined under paragraph (a), less the utility aid payments under section 79.04 of the statutes .

Vetoed In Part

SECTION 9145.0 Nonstatutory provisions; state fair park board.

(1tv) STATE FAIR PARK RACETRACK NOISE ABATEMENT PLAN. The state fair park board shall submit to the joint committee on finance a plan for noise abatement at the racetrack facility located in the state fair park. The plan shall be submitted jointly with any lessee of the racetrack facility at the time of submittal of the plan. If the committee approves the plan, the cochairpersons of the committee shall notify the chairperson of the building commission in writing of the committee's approval.

SECTION 9146. Nonstatutory provisions; supreme court.

(1w) REPORT TO LEGISLATURE REGARDING RESERVE JUDGES. The director of state courts shall, by October 1, 2000, submit a report to the governor, to the members of the joint committee on finance, and to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes, regarding the recruitment, retention and compensation of reserve judges.

(2f) STUDY AND REPORT ON METHODS OF JUDGE SELECTION.

(a) In this subsection, "minority group member" has the meaning given in section 560.036 (1) (f) of the statutes.

(b) A committee composed of the chief justice of the supreme court, the chief judge of the 1st judicial administrative district, 3 judges appointed by the chief justice, one of whom shall be a minority group member, and 4 public members appointed by the governor, 2 of whom shall be minority group members, shall study judicial subdistricts and other methods of judge selection that would result in increased racial and ethnic diversity of the judges in the courts. The governor shall designate the chair of the committee. The chief judge of the 1st judicial administrative district shall be the vice chair of the committee. No later than December 31, 2000, the committee shall submit a report on its findings and recommendations to the governor, the supreme court and to appropriate standing committees of the senate and assembly in the manner specified in section 13.172 (3) of the statutes. The director of state courts shall provide staff services to the committee. Members of the committee shall be reimbursed for actual and necessary expenses incurred in performing their duties as members of the committee from the appropriation under section 20.680 (1) (a) of the statutes.

SECTION 9147. Nonstatutory provisions; technical college system.

(2ct) MILWAUKEE ENTERPRISE CENTER. 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) (ec) of the statutes, as created by this act, to the Milwaukee Enterprise Center in the city of Milwaukee to renovate the center's training center and conference rooms.

(3w) AGRICULTURAL EDUCATION CONSULTANT. The authorized FTE positions for the technical college system board to be funded from the appropriation under section 20.292 (1) (q) of the statutes, are increased by 0.75 SEG position for an agricultural education consultant.

Vetoed In Part

SECTION 9148. Nonstatutory provisions; technology for educational achievement in Wisconsin board.

(1g) TELECOMMUNICATIONS ACCESS; PREEXISTING CONTRACTS. The technology for educational achievement in Wisconsin board may not require, as a condition for receiving a grant in the 1999–2000 fiscal year under section 44.73 (6) of the statutes, as affected by this act, that a public or private school that is a member of the KSCADE network applies for the rate discounts specified under 47 USC 254.

(1vt) PASSIVE REVIEW. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (u) of the statutes, if the technology for educational achievement in Wisconsin board submits a request to the joint committee on finance to supplement the appropriation under section 20.275 (1) (s), (t) or (tm) of the statutes, as affected by this act, and submits information related to the board's estimated program demand and final, annualized costs to the committee, and if the cochairpersons of the joint committee on finance do not notify the board within 14 working days after the date of the board's request and submittal of information that the committee has scheduled a meeting to review the request and information, the request is considered approved. If, within 14 working days after the submission of the request and information, the cochairpersons of the committee notify the board that the committee has scheduled a meeting to review the request, the request may be granted only upon approval of the committee.

Vetoed In Part

(1w) PROJECTIONS AND FUNDING FOR 2001–03 BIENNIAL BUDGET. Notwithstanding section 16.42 (1) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 2001–03 biennial budget, the technology for educational achievement in Wisconsin board shall include information concerning all of the following:

(a) Projections concerning the ultimate size of the educational telecommunications access program.

(b) How much of the funding required for the educational telecommunications access program should be drawn from universal service fund assessments.

Vetoed In Part

(c) Other funding sources if the recommended funding from the universal service fund is less than the total projected costs for the educational telecommunications access program.

(d) How long entities participating in the educational telecommunications access program should continue to receive subsidies under the program and how best to phase out the program.

(2g) GRANT FOR INTERNET–BASED INSTRUCTIONAL PROGRAM. By 15 days after the day after publication, the technology for educational achievement in Wisconsin board shall provide a grant in the amount of $502,000 to the board of regents of the University of Wisconsin System to maintain, until September 1, 2001, a Web site developed by the University of Wisconsin–Milwaukee to instruct teachers of grades kindergarten to 12 on the integration of technology into the classroom; to store lesson plans concerning the use of technology in the classroom, arranged by grade and subject matter; and to direct teachers to Web sites containing educational resources.

Vetoed In Part

(2x) RULES RELATING TO EDUCATIONAL TECHNOLOGY TRAINING GRANTS.

(a) Subject to paragraph (b), the technology for educational achievement in Wisconsin board shall use the procedure under section 227.24 of the statutes to promulgate the rules required under section 44.72 (1) (d) of the statutes, as created by this act, for a period not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the board need not provide evidence of the necessity of preserving the public peace, health, safety or welfare in promulgating the rules under this paragraph.

(b) The board shall submit the proposed rules under paragraph (a) to the cochairpersons of the joint committee on information policy. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed rules within 14 working days after the date of the board's submittal, the board may proceed to promulgate the rules. If, within 14 working days after the date of the board's submittal, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed rules, the board shall not promulgate the rules until the committee approves the rules.

(4w) GRANT TO DISTANCE LEARNING NETWORK. From the appropriation under section 20.275 (1) (s) of the statutes, as affected by this act, the technology for educational achievement in Wisconsin board shall award a grant of $93,800 in the 1999–2000 fiscal year to the Embarrass River Valley Instructional Network Group to upgrade its equipment.

SECTION 9149. Nonstatutory provisions; tourism.

Vetoed In Part

(1to) GRANT FOR UPGRADE OF AZTALAN STATE PARK. From the appropriation under section 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall make a grant of $75,000 in fiscal year 1999–2000 to the department of natural resources for the purpose of completing the upgrading of Aztalan State Park, including the development of an overall public education and research strategy, as well as a long–term interpretive and management plan that includes establishing an interpretive visitor's center, opening other portions of the site to the public and using visual effects to enhance the experience of visitors to the park. The state historical society shall work with management personnel of Aztalan State Park to facilitate timely completion of the upgrade. The department of natural resources shall deposit the grant proceeds in the appropriation account under section 20.370 (1) (mk) of the statutes.

(2c) GRANTS FOR FORT FOLLE AVOINE. From the appropriation under section 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall make a grant of $100,000 in fiscal year 1999–2000 and a grant of $100,000 in fiscal year 2000–01 to the Burnett County Historical Society for educational programming, marketing and advertising costs for Fort Folle Avoine. Within 6 months after spending the full amount of each grant, the Burnett County Historical Society shall submit a report to the department of tourism detailing the use of the grant proceeds.

Vetoed In Part

(2rs) GRANTS FOR INTERNET REFERRAL SYSTEM.

(a) In this subsection, "eligible recipient" means any of the following:

1. A county.

2. A consortium.

(b) The department of tourism shall award 2 grants of $25,000 each in the 1999–2001 biennium from the appropriation under section 20.380 (1) (c) of the statutes, as created by this act, to 2 eligible recipients. A grant recipient must use the grant proceeds to establish and maintain on the Internet a tourism–related business referral system. In awarding the grants, the department shall consider all of the following:

1. Whether a grant applicant has a financial need for the assistance.

2. Whether a grant applicant will use the services of a Wisconsin–based company that establishes Internet referral systems.

(c) Within 6 months after spending the full amount of the grant, a grant recipient shall submit to the department of tourism a report detailing how the grant proceeds were used.

(2tw) GRANTS FOR TOURISM PROMOTION. In each of fiscal years 1999–2000 and 2000–01, the department of tourism shall make a grant of $75,000 to Polk County and a grant of $75,000 to Burnett County from the appropriation under section 20.380 (1) (kg) of the statutes, as created by this act, for tourism promotion in northwestern Wisconsin. Within 6 months after spending the full amount of each grant, each county shall submit a report

Vetoed In Part

to the department of tourism detailing how the money was used.

Vetoed In Part

(3e) GRANT TO ST. CROIX VALLEY TOURISM ALLIANCE. From the appropriation under section 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall make a grant of $50,000 in fiscal year 1999–2000 to the St. Croix Valley Tourism Alliance. Within 6 months after spending the full amount of the grant, the St. Croix Valley Tourism Alliance shall submit a report to the department of tourism detailing the use of the grant proceeds.

SECTION 9150. Nonstatutory provisions; transportation.

(1p) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 2003–05 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (5) (dq) of the statutes, as affected by this act, as though an annual increase of $28,000, for the purpose of purchasing strobe lighting equipment and installing that equipment in state patrol vehicles, by this act, has not been made.

(2) RICHARD I. BONG AIR MUSEUM. Of the amounts appropriated to the department of transportation under section 20.395 (2) (nx) of the statutes, the department shall award a grant of $1,000,000 in fiscal year 1999–2000 to the city of Superior for the purpose of constructing the Richard I. Bong air museum in Superior, except that the amount of the grant awarded under this subsection may not exceed 80% of the costs of constructing the air museum.

(2bgm) RULES FOR LOCAL ROADS IMPROVEMENT PROGRAM.

(a) The department of transportation shall submit in proposed form the rules required under section 86.31 (2) (b) and (6) (g) and (h) 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 7th month beginning after the effective date of this paragraph.

(b) Using the procedure under section 227.24 of the statutes, the department of transportation shall promulgate the rules required under section 86.31 (2) (b) and (6) (g) and (h) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until July 1, 2000, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this paragraph is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency rules under this paragraph. The department shall promulgate rules under this paragraph no later than the 45th day after the effective date of this paragraph.

Vetoed In Part

Vetoed In Part

(2bm) RULES ESTABLISHING FULLY ALLOCATED COST METHODOLOGY.

(a) The department of transportation shall submit in proposed form the rules required under section 85.20 (8) 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 7th month beginning after the effective date of this paragraph.

(b) Using the procedure under section 227.24 of the statutes, the department of transportation shall promulgate the rules required under section 85.20 (8) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until July 1, 2000, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this paragraph is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency rules under this paragraph. The department shall promulgate rules under this paragraph no later than the 45th day after the effective date of this paragraph.

(2br) REDUCED ALLOCATION FOR DISCRETIONARY TOWN ROAD IMPROVEMENTS. The department of transportation shall reduce the amounts allocated in the appropriation under section 20.395 (2) (fr) of the statutes, as affected by this act, for discretionary town road improvements under section 86.31 (3m) of the statutes by $75,000 annually for fiscal years 1999–2000 and 2000–01.

(2bt) TECHNICAL ASSISTANCE WITH PAVEMENT ASSESSMENT. From the appropriation under section 20.395 (4) (aq) of the statutes, as affected by this act, the department shall contract with the board of regents of the University of Wisconsin System for training and technical support from the University of Wisconsin–Extension to assist municipalities in assessing the physical condition of highways under their jurisdiction, as required in section 86.302 (2) of the statutes, as affected by this act.

(2c) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION ADJUSTMENTS. Notwithstanding section 20.928 of the statutes, the department of transportation is not entitled to any supplements for unbudgeted compensation adjustments under section 20.928 of the statutes for the 1999–2001 fiscal biennium for any position funded from the appropriation under section 20.395 (3) (bq) of the statutes, except for any supplement that exceeds an adjustment increase for that position above the level established for fiscal year 1998–99 of 5.8% in fiscal year 1999–2000 and 6.1% in fiscal year 2000–01, as determined by the secretary of administration, and for

any position funded from the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act, except for any supplement that exceeds an adjustment increase for that position above the level established for fiscal year 1998–99 of 2.5% in fiscal year 1999–2000 and 3% in fiscal year 2000–01, as determined by the secretary of administration.

(2g) FLAMBEAU RIVER RECREATIONAL BRIDGE PROJECT. Of the amounts appropriated to the department of transportation under section 20.395 (2) (nx) of the statutes, the department shall allocate $190,400 in the 1999–2001 fiscal biennium to the city of Park Falls for the Flambeau River Recreational Bridge project.

Vetoed In Part

(2h) LITTLE LAKE BUTTE DES MORTS TRESTLE TRAIL CAUSEWAY PROJECT. Of the amounts appropriated to the department of transportation under section 20.395 (2) (nx) of the statutes, the department shall allocate $80,000 in the 1999–2001 fiscal biennium to the city of Menasha for the Little Lake Butte des Morts Trestle Trail Causeway project, except that the amount allocated under this subsection may not exceed 50% of the costs of the project.

Vetoed In Part

(2i) VILLAGE OF CLEAR LAKE BOX CULVERT. From the appropriation under section 20.395 (3) (cq) of the statutes, the department of transportation shall replace the railroad grade crossing under USH 63 near the village of Clear Lake, Polk County, with a box culvert of dimensions sufficient to accommodate the comfortable passage of snowmobiles under the highway.

(2s) AGENCY REQUEST RELATING TO DISCRETIONARY TOWN ROAD IMPROVEMENTS.

(a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purpose of the 2001–03 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (2) (fr) of the statutes as though the amounts appropriated to the department under that appropriation and allocated for activities under section 86.31 (3m) of the statutes, as affected by this act, for fiscal year 2000–01 were $75,000 more than the amounts in the schedule.

(b) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purpose of the 2001–03 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (4) (aq) of the statutes as though the amounts appropriated to the department under that appropriation for fiscal year 2000–01 were $75,000 less than the amounts in the schedule.

(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.

(3bm) CONTRACTING FOR DESIGN OR CONSTRUCTION OF LIGHT RAIL PROHIBITED. Notwithstanding any other provision of chapter 59, 60, 61, 62 or 66 of the statutes, no governing body of any city, village, town or county and no agency, corporation, instrumentality or subunit of a city, village, town or county, may enter into a contract for any purpose related to a light rail mass transit system if the cost of any of the contracted items would be paid for by, or reimbursed with, federal funds received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or any funds received from the state. This subsection does not apply to any funds expended or activity related to a mass transit system that is done under the memorandum of agreement concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was executed by the governor, the secretary of transportation, the secretary of natural resources, the county executive of Dane County, the administrative coordinator of Sauk County, and others, and that became effective on April 22, 1999. This subsection does not apply after June 30, 2001.

(3g) KINNICKINNIC RIVER BIKE TRAIL PROJECT. Notwithstanding section 85.245 (1) of the statutes, before approving any other project to receive federal funds distributed under section 85.245 of the statutes, the secretary of transportation shall approve the Kinnickinnic River Bike Trail project in the city of Milwaukee to receive federal funds distributed under section 85.245 of the statutes if the project is consistent with the requirements of 23 USC 149 and regulations promulgated under 23 USC 149.

Vetoed In Part

(3m) ANNUAL OUTDOOR ADVERTISING SIGN PERMIT FEE. If the department of transportation establishes an annual fee under section 84.30 (10m) of the statutes, as created by this act, during the 1999–2001 fiscal biennium, the department shall design the fee to collect not more than $510,000 in fiscal year 2000–01.

(3v) PROPOSALS FOR TRANSPORTATION PLANNING, ACCESS AND INFRASTRUCTURE IMPROVEMENTS. Notwithstanding section 16.42 (1) of the statutes, the department of transportation shall work with the city of Beloit, the city of Green Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh to develop proposals for transportation planning, access and infrastructure improvements for inclusion in the department's submission under section 16.42 of the statutes for the purposes of the 2001–03 biennial budget act.

Vetoed In Part

(4f) HARBOR ASSISTANCE GRANTS.

(a) *City of Marinette*. Notwithstanding section 85.095 of the statutes, from the appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, the department of transportation shall, not later than June 30, 2001, award a grant of $4,000,000 to the city of Marinette for harbor improvements, including reconstruction of a dock wall and dredging.

(b) *City of Milwaukee.* Notwithstanding section 85.095 of the statutes, from the appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, the department of transportation shall, not later than June 30, 2001, award a grant of $800,000 to the city of Milwaukee for harbor improvements, including closing a slip and filling the closed area with dredged material.

(5g) OFFENSES REQUIRING AN EXTENSION OF A PROBATIONARY LICENSEE'S RESTRICTION PERIOD. Not later than the first day of the 4th month beginning after the effective date of this subsection, the secretary of transportation shall submit in proposed form rules required under section 343.085 (2m) (b) 1. a. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes. The rules may not propose to extend a period of restriction under section 343.085 (2m) (b) of the statutes, as created by this act, for a violation of section 343.05 (1) or (3), 343.12 (1), 346.595 (1) or (6), 347.20, 347.28, 347.29 (1), 347.38 (1), (2) or (4), 347.40, 347.42, 347.46, 347.47, 347.485 (2), 347.486 (2), 347.487 or 347.488 of the statutes, nor for operating a motor vehicle with an operating privilege that is suspended or revoked or with an operator's license that is expired.

(5xy) TRANSFER OF AUTHORITY AND RECORDS FROM THE DEPARTMENT OF TRANSPORTATION TO THE DEPARTMENT OF COMMERCE. On July 1, 2000, all of the following apply:

(a) All equipment, supplies and records of the department of transportation pertaining to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes are transferred to the department of commerce.

(b) All rules pertaining to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes that have been promulgated by the department of transportation, that are in effect on July 1, 2000, and that do not conflict with the rules of the department of commerce shall become rules of the department of commerce and shall remain in effect until their specified expiration dates or until amended or repealed by the department of commerce. All orders pertaining to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes that have been issued by the department of transportation, that are in effect on July 1, 2000, and that do not conflict with orders of the department of commerce shall become orders of the department of commerce and shall remain in effect until their specified expiration dates or until modified or rescinded by the department of commerce.

(c) Any matter relating to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes that is pending with the department of transportation on July 1, 2000, is transferred to the department of commerce, and all materials submitted to or actions taken by the department of transportation with respect to the pending matter are considered to have been submitted to or taken by the department of commerce.

(d) The department of commerce may collect any amount payable under the statutes before July 1, 2000, for the costs of materials, activities or services that were provided by the department of transportation and that relate to mobile homes that exceed the statutory size under section 348.07 (2) of the statutes.

(e) Any person who, on the first day of the 6th month beginning after the effective date of this paragraph, has been issued a license by the department of transportation to sell mobile homes that exceed the statutory size under section 348.07 (2) of the statutes is considered to have received that license under section 101.951 or 101.952 of the statutes, as created by this act, whichever is appropriate.

(6) RADIO SERVICES POSITIONS. The authorized FTE positions for the department of transportation are increased by 7.0 SEG positions, to be funded from the appropriation under section 20.395 (5) (dq) of the statutes, as affected by this act, for the performance of duties primarily related to radio services.

(6f) MUKWONAGO BYPASS PROJECT. On or after July 1, 2001, and before August 1, 2001, the department of transportation shall let for bids contracts for construction on the portions of the Mukwonago bypass project, in Waukesha County, consisting of the extension of Bay View Road, designated as phase 1A; improvements to the I–43/STH 83 interchange, designated as phase 1B; and improvements to the STH 83/CTH NN intersection, designated as phase 1C.

(7c) HARTFORD HERITAGE AUTO MUSEUM. Notwithstanding section 86.91 (1) of the statutes, as affected by this act, the department of transportation shall erect directional signs along USH 41 near the interchange with STH 60 for the Hartford Heritage Auto Museum located in Hartford in Washington County. The department may not charge any fee related to signs erected under this subsection.

(7d) AIRPORT PERIMETER FENCING. Notwithstanding section 114.34 (1) and (3) of the statutes, the department of transportation shall provide a 20% match to any federal funds received during the 1999–2001 fiscal biennium for the construction of airport perimeter fencing. **Vetoed In Part**

(7e) MEEHAN STATION HISTORIC SITE. The secretary of transportation shall allocate not more than $14,900 in fiscal year 1999–2000 from the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act, for directional signs, an historical marker, land acquisition activities, landscaping and historic information materials relating to the Meehan Station historic site located 6 miles west of Plover in Portage County. **Vetoed In Part**

(7f) TRAFFIC CONTROL SIGNALS IN ST. CROIX FALLS. The department of transportation shall install traffic con-

trol signals at the intersection of USH 8 and 218th Street in the city of St. Croix Falls in Polk County.

Vetoed In Part

(7g) STATE TRUNK HIGHWAY ADDITION STUDY. The department of transportation shall, under section 84.295 (2) of the statutes, study whether Tolles Road in Rock County should be added to the state trunk highway system, and, by June 30, 2000, submit a report presenting the results of that study to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed In Part

(7j) REPORT ON INTELLIGENT TRANSPORTATION SYSTEMS. The department of transportation shall conduct a study on its proposed method of funding intelligent transportation systems under section 84.014 of the statutes, as created by this act, for the fiscal year 2000–01. No later than April 30, 2000, the department shall prepare a written report of its findings, conclusions and recommendations and shall submit the report to the chairpersons of the joint committee on finance for consideration at the 2nd quarterly meeting of the committee under section 13.10 of the statutes in the year 2000. The report shall include recommendations concerning the transfer of funds from the appropriations under section 20.395 (3) (bq) to (bx), (cv), (cx) and (iq) to (iv) of the statutes and the appropriations under section 20.395 (3) (cq), (eq), (ev), (ex) and (ix) of the statutes, as affected by this act, to the appropriations under section 20.395 (3) (gq) to (gx) of the statutes, as created by this act, for the funding of intelligent transportation systems under section 84.014 of the statutes, as created by this act.

(8g) SIDEWALKS IN WISCONSIN RAPIDS. The department of transportation shall install sidewalks along both sides of STH 54 between 32nd Street and 48th Street northeast of Wisconsin Rapids in Wood County.

(9g) INSTALLATION OF RAILROAD CROSSING GATES.

Vetoed In Part

(a) The department of transportation shall allocate from the appropriations under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, $287,100 for the installation of railroad crossing gates at the intersection of West Clark Street and the Wisconsin Central Railroad tracks and at the intersection of Water Street and the Wisconsin Central Railroad tracks, both of which are located in Stevens Point in Portage County. The city of Stevens Point shall pay at least 10% of the installation costs.

Vetoed In Part

(b) The department of transportation shall expend from the appropriations under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, the cost of the installation of railroad crossing gates at the intersection of Swarthout Road and the Canadian Pacific railroad tracks northwest of Fall River in Columbia County.

(10c) STORM WATER REGULATION COSTS. The department of transportation shall allocate the following amounts:

(a) From the appropriation under section 20.395 (3) (bq) to (bx) of the statutes, $750,000 in fiscal year 1999–2000 and $850,000 in fiscal year 2000–01 for the costs of complying with storm water rules promulgated under section 281.33 (3) of the statutes.

(b) From the appropriation under section 20.395 (3) (cq) to (cx) of the statues, as affected by this act, $4,900,000 in fiscal year 1999–2000 and $5,400,000 in fiscal year 2000–01 for the costs of complying with storm water rules promulgated under section 281.33 (3) of the statutes.

(10d) TRAFFIC CONTROL SIGNAL IN ROCK COUNTY. The department of transportation shall install traffic control signals at the intersection of USH 51 and Townline Road located in Rock County and shall award the contract to install the traffic controls signals no later than April 1, 2001.

(10e) STUDY OF POTENTIAL IMPROVEMENTS TO USH 10. The department of transportation shall study potential improvements to USH 10 between Marshfield and Osseo, including the addition of passing lanes or community bypasses, the reconstruction of segments to eliminate hazardous curves or hills and the widening of lanes and shoulders, and, by January 1, 2001, shall submit a report presenting the results of that study to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed In Part

(10f) CORRIDOR STUDY FOR USH 8. The department of transportation shall conduct a corridor study of USH 8 in Barron, Polk, Price and Rusk counties and report the results to the county boards of those counties no later than June 30, 2001.

(10t) TRAFFIC SIGNAL ON STH 32 IN SOUTH MILWAUKEE. The department of transportation shall install traffic signals at the intersection of STH 32 and Columbia Avenue in South Milwaukee in Milwaukee County.

(10x) TRAFFIC CONTROL SIGNALS IN SIREN. The department of transportation shall install traffic control signals at the intersection of STH 35 and STH 70 in the village of Siren in Burnett County. If, during the year 2000, the department reconstructs STH 35 at this intersection, the department shall complete the installation required under this subsection as part of that reconstruction project.

Vetoed In Part

(10z) CALCULATION OF BICYCLE AND PEDESTRIAN FACILITIES GRANTS.

(a) Notwithstanding section 85.024 (2) of the statutes, as affected by this act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created by this act, the calculation under section 85.024 (2) of the statutes, as affected by this act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created by this act, of the total amount of grants awarded and projects approved for fiscal year 1999–2000 shall include any grants awarded under section 85.024, 1997 stats., section 85.026, 1997 stats., or section 85.243, 1997 stats., and projects approved under section 85.245, 1997 stats., that are for the planning,

Vetoed In Part

design and construction of bicycle and pedestrian facilities and that have not been paid on or before the effective date of this paragraph. If the department of transportation determines that a grant was awarded for a project under section 85.024, 1997 stats., section 85.026, 1997 stats., or section 85.243, 1997 stats., or a project was approved under section 85.245, 1997 stats., on which construction will not be completed within a reasonable time after the grant is awarded or the project is approved, the department may withdraw the grant or its approval of the project and the amount of the grant or cost of the project may not be counted under this paragraph.

Vetoed In Part

(b) Notwithstanding section 85.024 (2) of the statutes, as affected by this act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created by this act, the calculation under section 85.024 (2) of the statutes, as affected by this act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created by this act, of the total amount of grants awarded and projects approved for fiscal year 2000–01 shall include any grants awarded under section 85.024, 1997 stats., section 85.026, 1997 stats., and section 85.243, 1997 stats., and projects approved under section 85.245, 1997 stats., that are for the planning, design and construction of bicycle and pedestrian facilities and that have not been paid on or before July 1, 2000. If the department of transportation determines that a grant was awarded for a project under section 85.024, 1997 stats., section 85.026, 1997 stats., or section 85.243, 1997 stats., or a project was approved under section 85.245, 1997 stats., on which construction will not be completed within a reasonable time after the grant is awarded or the project is approved, the department may withdraw the grant or its approval of the project and the amount of the grant or cost of the project may not be counted under this paragraph.

SECTION 9154. Nonstatutory provisions; University of Wisconsin System.

Vetoed In Part

(1d) INFORMATION TECHNOLOGY.

(a) The board of regents of the University of Wisconsin System shall develop a plan to help ensure that students who receive information technology training from the University of Wisconsin System and who are employed as student workers in the information technology area at the University of Wisconsin System are retained as employes in the information technology area for the duration of their enrollment. The board of regents shall submit a copy of this plan to the members of the joint committee on finance before November 1, 1999.

(b) The board of regents of the University of Wisconsin System shall submit a report to the members of the joint committee on finance no later than September 1, 2000, that contains all of the following information:

Vetoed In Part

1. The number of new student information technology positions filled during the 1999–2000 fiscal year at each University of Wisconsin System institution.

2. The range of salaries at each University of Wisconsin System institution for students employed in information technology positions during the 1999–2000 fiscal year.

3. The average salary at each University of Wisconsin System institution for students employed in information technology positions during the 1999–2000 fiscal year.

4. The number of students enrolled in the University of Wisconsin System who received information technology training from an University of Wisconsin System institution during the 1999–2000 fiscal year, their areas of training and the costs associated with their training.

5. For each University of Wisconsin System institution, the turnover rates for students employed in information technology positions during the 1999–2000 fiscal year.

6. For each University of Wisconsin System institution, the average length of employment in information technology positions for those students whose employment included employment during the 1999–2000 fiscal year.

(1w) FUNDING FOR COMPENSATION INCREASES.

(a) The board of regents of the University of Wisconsin System may not use any of the following funding relating to the Madison initiative for merit–based salary increases for any person who is a member of the faculty, as defined in section 36.05 (8) of the statutes, or of the academic staff, as defined in section 36.05 (1) of the statutes, unless the increases are made to recognize competitive factors:

1. Under section 20.285 (1) (a) of the statutes, $5,500,000 appropriated in the 1999–2000 fiscal year.

2. Under section 20.285 (1) (a) of the statutes, $9,500,000 appropriated in the 2000–01 fiscal year.

3. Under section 20.285 (1) (im) of the statutes, $2,961,500 appropriated in the 1999–2000 fiscal year.

4. Under section 20.285 (1) (im) of the statutes, $5,115,400 appropriated in the 2000–01 fiscal year.

(b) No later than October 1, 2000, the board of regents of the University of Wisconsin System shall report to the joint committee on finance concerning the amounts of any salary increases granted from funding specified under paragraph (a) to recognize competitive factors, and the institutions at which they are granted, for the 12–month period ending on the preceding June 30.

(c) No later than October 1, 2001, the board of regents of the University of Wisconsin System shall report to the joint committee on finance concerning the amounts of any salary increases granted from funding specified under paragraph (a) to recognize competitive

factors, and the institutions at which they are granted, for the 12–month period ending on the preceding June 30.

Vetoed In Part

(2m) BROWNFIELDS CASE STUDIES. The Robert M. LaFollette Institute of Public Affairs and the Department of Urban and Regional Planning of the University of Wisconsin–Madison are requested to conduct a study comparing the expected costs and returns of redeveloping a contaminated property with the expected costs and returns of developing an uncontaminated property.

Vetoed In Part

(2t) GINSENG RESEARCH. Notwithstanding section 16.50 (1) (a) and (2) of the statutes, the secretary of administration shall require submission of expenditure estimates from the board of regents of the University of Wisconsin System for ginseng research under section 20.285 (1) (qd) of the statutes, as created by this act, and shall not approve any expenditure estimates for ginseng research in the 1999–2001 fiscal biennium unless the board of regents receives funds from the Ginseng Board of Wisconsin equal to 20% of the amount appropriated under section 20.285 (1) (qd) of the statutes, as created by this act.

(3b) OVERSEAS PILOT PROGRAM. In the 2000–01 fiscal year, the University of Wisconsin–Milwaukee shall conduct a pilot project, with an emphasis on agriculture, the environment and public policy, that is designed to determine the feasibility of overseas academic programming. The board of regents of the University of Wisconsin System shall allocate $400,000 from the appropriation under section 20.285 (1) (a) of the statutes for the pilot program. Upon completion of the pilot project, the University of Wisconsin–Milwaukee shall submit a copy of a report summarizing its findings to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.

(3d) SUPPLEMENT FOR INCREASED ENROLLMENT. The joint committee on finance shall supplement the appropriation account under section 20.285 (1) (a) of the statutes by $4,800,000 $3,800,000 in the 2000–01 fiscal year if the board of regents of the University of Wisconsin System demonstrates to the satisfaction of the joint committee on finance that enrollment for the 2000–01 academic year will increase by 300 students in the University of Wisconsin–Madison and an additional 700 students in the University of Wisconsin System.

Vetoed In Part

Vetoed In Part

(3m) FUNDING OF 1999–2001 UNIVERSITY OF WISCONSIN SYSTEM FACULTY AND ACADEMIC STAFF PAY ADJUSTMENTS. Notwithstanding section 16.505 (4) (b) of the statutes, for employes who are eligible to receive compensation adjustments under section 230.12 (3) (e) of the statutes, the board of regents of the University of Wisconsin System may use moneys appropriated under section 20.285 (1) (im) of the statutes to pay for the compensation adjustments approved under section 230.12 (3) (e) of the statutes for the 1999–2001 fiscal biennium, but only up to an amount that equals the difference between the amount that the University of Wisconsin System, under section 20.928 (1) of the statutes, certifies is needed under section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to fully fund the compensation adjustments and the amount that the secretary of administration determines is required under section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to pay for the compensation adjustments.

(3t) POSITION AUTHORIZATION.

(a) Notwithstanding section 16.505 (1) of the statutes, during the 1999–2001 fiscal 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. 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 fiscal 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.

Vetoed In Part

(c) No later than the last day of the month following completion of each calendar quarter during the 1999–2001 fiscal biennium, 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.

(3x) AQUACULTURE DEMONSTRATION FACILITY. The board of regents of the University of Wisconsin System shall submit to the joint committee on finance for its approval a plan for the construction and operation of the aquaculture demonstration facility authorized under SECTION 9107 (1) (i) 3. of this act that includes all of the following:

Vetoed In Part

(a) A description of the physical characteristics of the facility.

(b) The facility's functions.

(c) How and by whom the facility's functions will be carried out.

(d) The number of persons necessary to staff the facility.

(e) The facility's estimated, annual operating cost.

(4g) TRANSFER CREDITS; REPORT. By July 1, 2000, the president of the University of Wisconsin System and the director of the technical college system shall submit a report to the legislature under section 13.172 (2) of the statutes on efforts made to coordinate transfer of credits from the technical college system to the University of Wisconsin System, including a plan to coordinate the transfer of credits for additional programs, and a timetable for implementation of the plan.

(4t) TUITION. Notwithstanding section 36.27 (1) (a) of the statutes and section 36.27 (1) (am) of the statutes, as created by this act, the board of regents of the University of Wisconsin System may not charge more in academic student fees for resident undergraduate students in the 2000–01 academic year than it charged in the 1999–2000 academic year.

(5g) POSITION AUTHORIZATION. The authorized FTE positions for the board of regents of the University of Wisconsin System are increased by 2.0 GPR positions, to be funded from the appropriation under section 20.285 (1) (ep) of the statutes, as created by this act.

SECTION 9155. Nonstatutory provisions; veterans affairs.

(2e) STUDY AND REPORT ON HEALTH CARE AID GRANT PROGRAM. The department of veterans affairs shall review the health care aid grant program and examine program modifications that could restrain the expenditure growth of the program. No later than December 31, 1999, the department shall submit a report presenting the results of the review and examination, including any program changes that the department believes should be made in the program, to the joint committee on finance.

Vetoed In Part

(3g) STAFF PAY SURVEY IMPLEMENTATION. The department of veterans affairs, in response to a staff pay survey by the department of employment relations, may request the joint committee on finance to supplement, from the appropriation under section 20.865 (4) (u) of the statutes, the appropriation account under section 20.485 (2) (u) of the statutes, to pay the increased salary and fringe benefit costs resulting from that survey. If the department of veterans affairs requests supplementation of the appropriation account under section 20.485 (2) (u) of the statutes, the department shall submit a plan to the joint committee on finance to expend not more than $159,600 for fiscal year 1999–2000 and not more than $164,400 for fiscal year 2000–01. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee. Notwithstanding section 13.101 (3) of the statutes, the committee is not required to find that an emergency exists.

Vetoed In Part

SECTION 9157. Nonstatutory provisions; workforce development.

(1) COMMUNITY YOUTH GRANT. Notwithstanding section 49.175 (1) (z) of the statutes, as created by this act, the following organizations shall receive the following grant amounts from the moneys allocated under section 49.175 (1) (z) of the statutes, as created by this act, without participating in a competitive process:

(a) The Wisconsin chapters of the Boys and Girls Clubs of America, $1,300,000 in each fiscal year of the 1999–2001 biennium.

(b) The Silver Spring Neighborhood Association, $75,000 in each fiscal year of the 1999–2001 biennium.

(c) The Safe and Sound initiative in Milwaukee, $1,000,000 in fiscal year 1999–2000 and $1,500,000 in fiscal year 2000–01.

(d) Wisconsin Good Samaritan Project, Inc., $125,000 in each fiscal year of the 1999–2001 biennium.

(e) The Youth Leadership Academy, Inc., and the United Community Center, $500,000 in each fiscal year of the 1999–2001 biennium.

(f) The Milwaukee Passports for Youth Program, $150,000 in each fiscal year of the 1999–2001 biennium.

(gm) The New Concept Self–Development Center in Milwaukee, $250,000 in each fiscal year of the 1999–2001 biennium.

(2) GOVERNOR'S WORK–BASED LEARNING BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of workforce development primarily related to the functions of the division of connecting education and work, as determined by the secretary of administration, shall become the assets and liabilities of the governor's work–based learning board.

(b) *Employe transfers.* On the effective date of this paragraph, all positions in the department of workforce development that are primarily related to the division of connecting education and work and the incumbent employes holding those positions, as determined by the secretary of administration, are transferred to the governor's work–based learning board.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the governor's work–based learning board that they enjoyed in the division of connecting education and work in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of workforce development that is primarily related to the functions of the division of connecting education and work, as determined by the secretary of administration, is transferred to the governor's work–based learning board.

(e) *Pending matters.* Any matter pending with the department of workforce development on the effective date of this paragraph that is primarily related to the division of connecting education and work, as determined by the secretary of administration, is transferred to the governor's work–based learning board. All materials submitted to or actions taken by the department of workforce development with respect to the pending matter are considered as having been submitted to or taken by the governor's work–based learning board.

(f) *Contracts.* All contracts entered into by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the functions of the division of connecting education and work, as determined by the secretary of administration, remain in effect and are transferred to the governor's work–based learning board. The governor's work–based learning board shall carry out any obligations under those contracts unless modified or rescinded by the governor's work–based learning board to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the division of connecting education and work remain in effect until their specified expiration date or until amended or repealed by the governor's work–based learning board. All orders issued by the department of workforce development in effect on the effective date of this paragraph that are primarily related to the division of connecting education and work remain in effect until their specified expiration date or until modified or rescinded by the governor's work–based learning board.

(2c) TERMINOLOGY IN REQUEST FOR PROPOSALS. The department of workforce development shall amend its request for proposals for administration of Wisconsin works for the period beginning January 1, 2000, and ending December 31, 2001, to do all of the following:

(a) *Definition of "entered employment transaction".* Define the term "entered employment transaction" under the job retention performance criterion.

(b) *Full and appropriate engagement.* Modify the "full and appropriate engagement" criterion by doing all of the following:

Vetoed In Part

Vetoed In Part

1. Specifying that "full and appropriate engagement" with respect to an individual who is required to participate in the food stamp employment and training program means engagement in required activities for an amount of time equal to the individual's household's monthly food stamp benefit divided by the minimum wage.

Vetoed In Part

2. Eliminating the provision that specifies that "full and appropriate engagement" with respect to participants in Wisconsin works employment positions means engagement in appropriate activities for at least 30 hours per week.

Vetoed In Part

3. Clarifying that, in 2–parent families who are participants in Wisconsin works, the requirement that one parent work at least 35 hours per week and that the combined work hours of both parents be at least 55 hours per week applies only with respect to 2–parent families that receive federally funded child care and only if the 2nd parent in the family is not disabled or caring for a severely disabled child.

Vetoed In Part

(2m) PARTIAL COMMUNITY SERVICE JOBS. Not later than the first day of the 3rd month beginning after the effective date of this subsection, the department of workforce development shall ensure that all Wisconsin works agencies are fully equipped to implement the prorated benefits specified in section 49.148 (1) (b) 1m. of the statutes, as created by this act.

(2nx) REORGANIZATION OF THE DIVISION OF VOCATIONAL REHABILITATION. Not later than June 30, 2001, the division of vocational rehabilitation shall submit to the secretary of workforce development a plan to reorganize the division. The plan shall include a reduction in the number of program assistant supervisors and an increase in the number of program assistants to provide support for rehabilitation counselors. The plan shall also include a provision to convert, at the division's discretion and based on local management and labor input, vacant program assistant supervisor positions to rehabilitation counselor positions or other direct service positions in areas with high caseloads.

Vetoed In Part

(2p) ADMINISTRATION OF MEDICAL ASSISTANCE. On the effective date of this subsection, those portions of any contract entered into by the department of workforce development that relate to the administration of medical assistance, that are in effect on the effective date of this subsection, remain in effect and are transferred to the department of health and family services. The department of health and family services shall carry out any contractual obligations that relate to medical assistance under those contracts until the contracts expire or are modified or rescinded to the extent permitted under the contracts.

Vetoed In Part

(2tu) EMPLOYMENT AND EDUCATION PROGRAMS.

(a) The authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (1) (n) of the statutes, are decreased by 2.2 FED positions for the provision of the employment and education programs specified in section 106.12 (2) of the statutes, as affected by this act.

(b) The authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (7) (kx) of the statutes, as created by this act, are increased by 2.2 PR positions for the provision of the employment and education programs specified in section 106.12 (2) of the statutes, as affected by this act.

(2xt) TRANSITION TO FEDERAL WORKFORCE INVESTMENT ACT OF 1998.

(a) *Council on workforce investment.*

1. 'Functions.' During the period beginning on the effective date of this subdivision and ending on June 30, 2000, all functions of the governor's council on workforce excellence under the federal Job Training Partnership Act, 29 USC 1501 to 1798, shall continue as the functions of the council on workforce investment established under 29 USC 2821.

2. 'Members.' All members of the governor's council on workforce excellence who are serving in that capacity on the day before the effective date of this subdivision shall continue that service as members of the council on workforce investment established under 29 USC 2821, unless the governor appoints members to replace those members.

(b) *Local workforce development boards.*

1. 'Functions.' During the period beginning on the effective date of this subdivision and ending on June 30, 2000, all functions of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 shall continue as the functions of the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831.

2. 'Members.' All members of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 who are serving in that capacity on the day before the effective date of this subdivision shall continue that service as members of the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831, unless the governor appoints members to replace those members. **Vetoed In Part**

3. 'Assets and liabilities.' On the effective date of this subdivision, the assets and liabilities of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 shall become the assets and liabilities of the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831.

4. 'Tangible personal property.' On the effective date of this subdivision, all tangible personal property of a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 is transferred to the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831.

5. 'Pending matters.' Any matter pending with a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 is transferred to the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831. All materials submitted to or actions taken by that private industry council with respect to a pending matter are considered as having been submitted to or taken by that local workforce development board.

6. 'Contracts.' All contracts entered into by a private industry council that is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area designated under 29 USC 1511 that are in effect on the effective date of this subdivision remain in effect and are transferred to the local workforce development board that is established under 29 USC 2832 for the identical local area designated under 29 USC 2831. That local workforce development board shall carry out any obligations under such a contract unless the contract is modified or rescinded by the local workforce development board to the extent allowed under the contract.

(3e) UNIFIED PROGRAM ELIGIBILITY. The department of workforce development, in coordination with the departments of health and family services and public instruction, shall develop a proposal and implementation plan for a simplified and unified application process for medical assistance under subchapter IV of chapter 49 of the statutes, badger care under section 49.665 of the statutes, the food stamp program under 7 USC 2011 to 2036, the school lunch program under section 115.34 of the statutes and the supplemental food program for women, infants and children under section 253.06 of the statutes. Not later than July 1, 2000, the departments shall submit the proposal and implementation plan to the joint committee on finance. If, within 14 days after receiving the proposal, the cochairpersons of the committee do not notify the departments that the committee has scheduled a meeting for the purpose of reviewing the proposal and implementation plan, the departments shall implement the proposal in accordance with the implementation plan. If, within 14 days after receiving the proposal and implementation plan, the cochairpersons of the committee notify the departments that a meeting has been scheduled for the purpose of reviewing the proposal and implementation plan, the departments may not implement the proposal except as approved by the committee. **Vetoed In Part**

(3mm) CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS. No later than the first day of the first month beginning after publication, the department of workforce **Vetoed In Part**

development shall identify all existing general purpose revenues that may be used to match federal child care and development block grant funds. The department shall prepare a plan to maximize federal funding for child care and shall submit the plan to the secretary of the federal department of health and human services no later than the first day of the 2nd month beginning after publication. No later than 60 days after the secretary of the federal department of health and human services approves the plan, the department shall submit to the joint committee on finance a plan for expanding child care.

Vetoed In Part

(3x) DISTRIBUTION OF TECHNICAL PREPARATION FUNDING. From the appropriation under section 20.445 (7) (kb) of the statutes, as affected by this act, the governor's work–based learning board shall distribute $1,646,100 in fiscal year 1999–2000 to the technical preparation consortia established under section 118.34 (2) (b) of the statutes. Of that amount, the governor's work–based learning board shall distribute $70,000 to each of those consortia and shall distribute $526,100 to those consortia based on the number of 10th grade students in each consortium and the number of high schools located within the technical college district of each consortium.

(4c) WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. Not later than the first day of the 2nd month beginning after the effective date of this subsection, the department of workforce development shall develop and distribute to all Wisconsin works agencies the single–page description of all of the benefits and services that a Wisconsin works agency may provide to individuals seeking assistance from the Wisconsin works agencies, as required under section 49.143 (2) (es) of the statutes, as created by this act.

(4dx) UNRESTRICTED BONUSES FOR WISCONSIN WORKS AGENCIES. The department of workforce development shall modify its request for proposals to administer Wisconsin works under a contract with a term beginning on January 1, 2000, to provide that, of the total unrestricted performance bonus available to each Wisconsin works agency, 50% is to be distributed to the agency if the agency meets the 2nd performance level, as defined by the department, and the remainder is to be distributed to the agency if the agency meets the 3rd performance level, as defined by the department.

(4g) POSITION DECREASE. The authorized FTE positions for the department of workforce development funded from the appropriation under section 20.445 (3) (n) of the statutes are decreased by 1.0 FED position on the effective date of this subsection.

(4y) STUDY ON THE GUARDIAN AD LITEM SYSTEM.

(a) The joint legislative council is requested to establish a committee to study reforming the guardian ad litem system as it applies to actions affecting the family. The committee shall include legislators, attorneys, judges, court commissioners, mental health professionals and other individuals representing the public interest. The study shall include an examination of at least all of the following:

1. The appointment of guardians ad litem, including whether the appointment of a guardian ad litem should be required in every case in which legal custody or physical placement of a child is contested and whether professionals with specialized training and expertise in the emotional and developmental phases and needs of children, such as child psychologists, child psychiatrists and child therapists, should be appointed to act as guardians ad litem.

2. The role of the guardian ad litem.

3. Supervision of guardians ad litem.

4. Training of guardians ad litem.

5. Compensation of guardians ad litem.

(b) If a committee is established, the committee shall prepare a report with its recommendations and shall petition the supreme court to consider rules for the reform of the guardian ad litem system on the basis of the recommendations.

(7mx) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 1997 stats., a lien that exists under section 109.09 (2) (a), 1997 stats., on the day before the effective date of this subsection takes precedence over all other debts, judgments, decrees, liens or mortgages against an employer that originated before that lien took effect, except a lien of a financial institution, as defined in section 69.30 (1) (b) of the statutes, or a lien under section 292.31 (8) (i) or 292.81 of the statutes.

SECTION 9158. Nonstatutory provisions; other.

(1d) 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.

Vetoed In Part

(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 func-

tions. 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 para-

graphs (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).

(2m) EDUCATIONAL APPROVAL BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the higher educational aids board primarily related to the functions of the educational approval board, as determined by the secretary of administration, shall become the assets and liabilities of the department of veterans affairs.

(b) *Employe transfers.* All incumbent employes holding positions in the higher educational aids board performing duties primarily related to the functions of the educational approval board, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of veterans affairs.

(c) *Employe status.* Employes transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of veterans affairs that they enjoyed in the higher educational aids board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the higher educational aids board that is primarily related to the functions of the educational approval board, as determined by the secretary of administration, is transferred to the department of veterans affairs.

(e) *Contracts.* On the effective date of this paragraph, all contracts entered into by the higher educational aids board that are in effect on the effective date of this paragraph and that are primarily related to the functions of the educational approval board, as determined by the secretary of administration, remain in effect and are transferred to the department of veterans affairs. The department of veterans affairs shall carry out any such contractual obligations until modified or rescinded by the department of veterans affairs to the extent allowed under the contract.

(7g) VILLAGE OF ASHWAUBENON TAX INCREMENTAL DISTRICT NUMBER TWO. Notwithstanding section 66.46 (4) (h) 1. and 2. of the statutes, expenditures for project costs for tax incremental district number two in the village of Ashwaubenon may be made for not more than 5 years after the date on which the village board adopted a resolution amending the project plan in a way that modified the district's boundaries by adding territory to the district. Expenditures for tax incremental district number two in the village of Ashwaubenon may be made through July 30, 2001.

(7tw) SPECIAL TRANSFER AID REPORT.

(a) By May 1, 2000, the board of school directors of the school district operating under chapter 119 of the statutes shall submit a report to the joint committee on finance, the senate and assembly education committees and the Milwaukee school construction board. The report shall include all of the following: **Vetoed In Part**

1. A strategy for achieving the percentages specified under section 121.85 (6) (am) of the statutes, as created by this act.

2. A facility plan specifying the neighborhood schools that are needed, the location of specialty schools and the estimated cost of the facility plan.

3. Other means by which the pupil capacity of neighborhood schools will be expanded, which could include remodeling and use of nontraditional facilities.

4. Specific plans for establishing neighborhood schools and replicating or relocating specialty schools in order to increase the number of pupils attending neighborhood schools.

5. A description of the alternative settings, which are in compliance, as defined in section 115.33 (1) (a) of the statutes, that will be used for educating pupils.

6. A plan for complying with section 121.85 (2) to (5) of the statutes. **Vetoed In Part**

(am) Before submitting the report under paragraph (a), the board of school directors shall hold all of the following kinds of hearings on the report: **Vetoed In Part**

1. A general listening session. **Vetoed**

2. A hearing at which goals and objectives are discussed. **In Part**

3. A hearing to finalize the board's goals and objectives.

4. A hearing at which the board solicits ideas on a plan to implement the goals and objectives.

5. A hearing at which the board presents an initial draft of a plan for implementing the goals and objectives.

6. A hearing at which the board presents a final draft of a plan for implementing the goals and objectives. **Vetoed**

7. A hearing at which the board presents the plan. **In Part**

(ar) The Milwaukee school construction board shall review the report under paragraph (a) and may modify **Vetoed In Part**

Vetoed In Part

the report. The Milwaukee school construction board shall approve the report, any modifications to the report, and shall submit the report, including a recommendation of the amount of bonding necessary for school construction to the joint committee on finance and the senate and assembly education committees by June 1, 2000.

(b) The joint committee on finance shall review the report under paragraph (ar) and may modify the report. The committee shall approve the report, and any modifications to the report, by September 1, 2000.

Vetoed In Part

Vetoed In Part

(bm) If a member of the senate or assembly education committees requests a hearing within 30 days after submission of the report under paragraph (a), the member's committee shall hold a hearing on the report within 2 weeks after the request.

(c) Notwithstanding section 121.85 (6) (ar) of the statutes, as created by this act, the department of public instruction may not distribute any aid under section 121.85 (6) (ar) of the statutes, as created by this act, to the board of school directors of the school district operating under chapter 119 of the statutes in the 2000–01 fiscal year until the report is approved by the joint committee on finance under paragraph (b).

(7x) TRUST LANDS IN TAX INCREMENTAL DISTRICT; GOVERNOR'S CONCURRENCE.

(a) Except as provided in paragraph (b), the governor may not concur with the determination of the U.S. secretary of the interior, as described in 25 USC 2719 (b) (1) (A), that a gaming establishment on land acquired by the secretary in trust for an Indian tribe after October 17, 1988, would not be detrimental to the surrounding area if the land on which the gaming establishment is located, or is proposed to be located, is in a tax incremental district.

(b) The prohibition on concurrence under paragraph (a) does not apply if the governor determines that appropriate arrangements have been made to ensure that the life of the tax incremental district described in paragraph (a) will not be extended for a greater number of years than the district would have existed if the land on which the gaming establishment is located, or is proposed to be located, were not part of the tax incremental district.

Vetoed In Part

(8c) REPORT ON ENVIRONMENTAL LAW ENFORCEMENT TRAINING. The department of justice and the department of natural resources shall jointly review educational materials and training objectives prepared by the Midwest Environmental Enforcement Association. The review shall be conducted in consultation with instructors and other staff from law enforcement training academies. The department of justice and the department of natural resources shall jointly prepare a written report of their review and shall submit the report to the cochairpersons of the joint committee on finance for consideration at the 2nd quarterly meeting of the committee under section 13.10 of the statutes in the year 2000. The report shall include recommendations concerning all of the following:

Vetoed In Part

(a) Using the Roll Call Law format of the department of justice to produce an environmental law enforcement training video for distribution to law enforcement agencies and law enforcement training academies.

Vetoed In Part

(b) Developing an environmental law enforcement training seminar for presentation at regional training events.

(c) Producing an environmental law enforcement training presentation in optical disk or electronic format.

(d) Using techniques of distance education, as defined in section 24.60 (1g) of the statutes, to provide environmental law enforcement training.

(e) Funding any environmental law enforcement training proposals under paragraphs (a) to (d) using law enforcement training funds from the department of justice and fish and wildlife funds and environmental funds from the department of natural resources.

(8w) 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, subject to paragraph (c):

1. Four members who are appointed by the mayor of the city of Madison.

2. Three members who are appointed by the governor from a list of names submitted by an association representing towns that is in existence on January 1, 1999.

3. Three members who are appointed by the governor from a list of 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.

Vetoed In Part

Vetoed In Part

4. Three members who are appointed by the Dane County executive, one of whom shall be a resident of the city of Madison, one of whom shall be a resident of a town that is located in Dane County and one of whom shall be a resident of a village or a 3rd or 4th class city that is located in whole or in part in Dane County.

(c) Not more than 3 of the members appointed under paragraph (b) may be members of the Dane County board. If more than 3 members of the Dane County board are appointed under paragraph (b), the first 3 Dane

County board members who are appointed shall be on the Dane County regional planning commission and the individual who appointed Dane County board members who may not be on the commission shall appoint other individuals for those positions on the commission.

(d) For any action taken by the Dane County regional planning commission in any of the following areas, a supermajority of 8 votes is required:

1. Any changes to an urban service area, as designated under 33 USC 1288.

2. Any changes to the Dane County land use and transportation plan.

(e) 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 October 1, 2002. 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.

(8zo) ELECTED MEMBERS, CITIZEN MEMBERS OF LOCAL PLANNING COMMISSIONS.

(a) Notwithstanding section 62.23 (1) (c), 1997 stats., an alderperson, village board member or town board member who is elected by his or her colleagues in April 1999 to serve on a city, village or town planning commission under section 62.23 (1) (b), 1997 stats., may serve on the planning commission until April 2000.

(b) A citizen member of a city, village or town planning commission who is appointed under section 62.23 (1) (c), 1997 stats., may serve on the planning commission until the expiration of the term to which he or she was appointed.

(9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG other position to be funded from the appropriation under section 20.436 (1) (tb) of the statutes, as created by this act.

(9g) WINNEBAGO COUNTY CLAIM. There is directed to be expended from the appropriation under section 20.510 (1) (a) of the statutes, as affected by the acts of 1999, $2,087 in payment of a claim against the state made by Winnebago County to compensate the county for the cost of reprinting ballots for the 1988 general election that were found by the state elections board to be out of conformity with state law. Acceptance of this payment releases this state and its officers, employes and agents from any further liability with respect to the county's defective ballots for the 1988 general election.

(9z) HIGHER EDUCATIONAL AIDS BOARD; POSITION DECREASE. The authorized FTE positions for the higher educational aids board, funded from the appropriation under section 20.235 (2) (qb) of the statutes, are decreased by 0.86 SEG position.

(10g) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP DUES IN STATE AND NATIONAL ORGANIZATIONS ARE PAID. **Vetoed In Part**

(a) In this subsection:

1. "Secretary" means the secretary of administration.

2. "State agency" has the meaning given in section 20.001 (1) of the statutes.

(b) The secretary shall determine for each state agency the amount expended by the state agency for membership dues for any state or national organization in the 1998–99 fiscal year that was funded from each revenue source except federal revenue.

(c) The secretary shall, during the 1999–2000 fiscal year, lapse to the general fund or appropriate segregated fund from each sum certain appropriation account made to each state agency from any revenue source except program revenue, segregated revenue derived from specific program receipts or federal revenue, or shall reestimate to subtract from the expenditure estimate for each appropriation other than a sum certain appropriation made to each state agency from any revenue source except federal revenue, an amount equivalent to 10% of the total amount expended by that state agency for membership dues for any state or national organization from that appropriation in the 1998–99 fiscal year, if any. The secretary shall, during the 2000–01 fiscal year, lapse to the general fund or appropriate segregated fund from each such account or shall reestimate to subtract from each such estimate an equivalent amount.

(d) Each sum certain appropriation to each state agency for the 1999–2000 fiscal year and the 2000–01 fiscal year from program revenue or segregated revenue derived from specific program receipts is decreased by an amount equivalent to 10% of the total amount expended by that agency for membership dues for any state or national organization from that appropriation in the 1998–99 fiscal year, as determined by the secretary.

(11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the statutes, as created by this act, 4 of the initial members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act, shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act, shall serve for a term expiring on May 1, 2001. **Vetoed In Part**

SECTION 9201. Appropriation changes; administration.

(2b) RESERVE FOR CANCELED DRAFTS. On the effective date of this subsection, all moneys that are reserved under section 20.912 (2), 1997 stats., for the payment of canceled checks, share drafts and other drafts under section 20.912 (3), 1997 stats., shall revert to the fund from which the canceled checks, share drafts and other drafts were drawn and are available for appropriation.

(2f) FEDERAL INTEREST REIMBURSEMENT LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, no later than the first day of the 2nd month beginning after the effective date of this subsection, there is lapsed to the general fund from the appropriation account under section 20.505 (1) (ma) of the statutes the amount determined by the secretary of administration under SECTION 9101 (19f) of this act.

Vetoed In Part

(2m) TRANSFER OF FUNDS FOR ANTI–DRUG ENFORCEMENT; ADMINISTRATION. Immediately before the transfer under section 20.505 (6) (j) 13. of the statutes, as created by this act, to section 20.505 (6) (k) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.505 (6) (k) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 80% of the unencumbered balance in the appropriation account under section 20.505 (6) (k), 1997 stats., at the end of the 1998–99 fiscal year.

(2n) TRANSFER OF FUNDS FOR ANTI–DRUG ENFORCEMENT; LOCAL ASSISTANCE. Immediately before the transfer under section 20.505 (6) (j) 3. of the statutes, as created by this act, to section 20.505 (6) (kp) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.505 (6) (kp) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 80% of the unencumbered balance in the appropriation account under section 20.505 (6) (g), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.505 (6) (g), 1997 stats., between August 1, 1999, and the effective date of this paragraph.

(2p) TRANSFER OF FUNDS FOR ANTI–DRUG ENFORCEMENT; STATE AGENCIES. Immediately before the transfer under section 20.505 (6) (j) 14. of the statutes, as created by this act, to section 20.505 (6) (kt) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.505 (6) (kt) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 80% of the unencumbered balance in the appropriation account under section 20.505 (6) (h), 1997 stats., at the end of the 1998–99 fiscal year.

(2x) MOBILE HOME PARKS, DEALERS AND SALESPERSONS. On the effective date of this subsection, the unencumbered balance in the appropriation account under section 20.505 (7) (jf) of the statutes, as affected by the acts of 1999, is transferred to the appropriation account under section 20.143 (3) (j) of the statutes, as affected by the acts of 1999.

(3m) STATE VEHICLE FLEET. Notwithstanding section 20.001 (3) (a) and (c) of the statutes, not later than June 30, 2001, the department of administration shall lapse a total of $230,000 from the appropriation accounts under section 20.285 (1) (h) of the statutes, as affected by this act, and sections 20.370 (8) (mt), 20.395 (4) (er) and 20.505 (1) (kb) of the statutes to the general fund, in the amounts determined by the secretary of administration.

Vetoed In Part

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 $1,500,000 in fiscal year 1999–00 and $500,000 in fiscal year 2000–01.

(3g) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the agrichemical management fund to the general fund $1,000,000 in fiscal year 1999–00.

SECTION 9210. Appropriation changes; commerce.

(1) PHYSICIAN AND HEALTH CARE PROVIDER LOAN ASSISTANCE PROGRAMS TRANSFER. On the effective date of this subsection, the unencumbered balance of the appropriation account of the department of commerce under section 20.143 (1) (f) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account of the department of commerce under section 20.143 (1) (kr) of the statutes, as affected by this act.

SECTION 9211. Appropriation changes; corrections.

(2g) CORRECTIONAL OFFICER TRAINING. Immediately before the transfer under section 20.505 (6) (j) 6. of the statutes, as created by this act, to section 20.410 (1) (kp) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.410 (1) (kp) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to the moneys credited to the appropriation account under section 20.410 (1) (jp), 1997 stats., between August 1, 1999, and the effective date of this subsection.

SECTION 9223. Appropriation changes; health and family services.

(1) DRIVER IMPROVEMENT SURCHARGE LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on

June 30, 2000, there is lapsed to the general fund $850,000 from the appropriation account of the department of health and family services under section 20.435 (6) (hx) of the statutes, as affected by the acts of 1999.

(1w) STATE SHARE OF MEDICAL ASSISTANCE PAYMENTS. Notwithstanding section 20.435 (7) (bd) of the statutes, as affected by this act, the department of health and family services may transfer from the appropriation under section 20.435 (7) (bd) of the statutes, as affected by this act, to the appropriation under section 20.435 (4) (b) of the statutes, as affected by this act, not more than $2,279,000 in fiscal year 1999–00 and not more than $6,958,300 in fiscal year 2000–01 for the purpose of funding the state share of medical assistance benefits for individuals who convert from the community options program under section 46.27 (7) of the statutes, as affected by this act, to the medical assistance purchase plan under section 49.472 of the statutes, as created by this act.

(2g) LAPSE OF INCOME AUGMENTATION RECEIPTS.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, by no later than 30 days after the effective date of this paragraph, the secretary of administration shall lapse to the general fund $12,013,200 from the appropriation account to the department of health and family services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 1999.

(b) Notwithstanding section 20.001 (3) (c) of the statutes, by no later than June 30, 2001, the secretary of administration shall lapse to the general fund $6,100,000 from the appropriation account to the department of health and family services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 1999, in addition to the amount lapsed under paragraph (a).

(3c) TRANSFER OF UNEXPENDED SUBSTANCE ABUSE FUNDS. Of the amounts shown in the schedule under section 20.435 (7) (bc) of the statutes, as affected by this act, for fiscal year 1999–2000, $5,000,000 is allocated for substance abuse grants under section 46.48 (30) of the statutes, as created by this act. Of that amount, the department of health and family services may expend or encumber only that amount that equals $416,670 times the number of months in fiscal year 1999–2000 for which grants are awarded under section 46.48 (30) of the statutes, as created by this act.

SECTION 9225. Appropriation changes; Housing and Economic Development Authority.

(1) TRANSFER FROM WISCONSIN DEVELOPMENT RESERVE FUND TO ENVIRONMENTAL FUND. On the effective date of this subsection, the executive secretary of the Wisconsin Housing and Economic Development Authority shall transfer from the Wisconsin development reserve fund under section 234.93 of the statutes, as affected by this act, to the secretary of administration for deposit in the environmental fund $4,000,000 that was appropriated to the Wisconsin development reserve fund under the appropriation to the Wisconsin Housing and Economic Development Authority under section 20.490 (5) (t), 1997 stats.

SECTION 9230. Appropriation changes; justice.

(1) COUNTY–TRIBAL LAW ENFORCEMENT PROGRAMS. The unencumbered balance in the appropriation account under section 20.455 (2) (hm), 1997 stats., is transferred to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act.

(2m) PENALTY ASSESSMENT RECEIPTS; IMMEDIATE TRANSFER. There is transferred from the appropriation account under section 20.455 (2) (i) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 90% of the unencumbered balance in the appropriation account under section 20.455 (2) (i), 1997 stats., at the end of the 1998–99 fiscal year.

(3m) PENALTY ASSESSMENT RECEIPTS; 1999–2000 FISCAL YEAR TRANSFER. On June 30, 2000, 90% of the unencumbered balance of the appropriation account under section 20.455 (2) (i) of the statutes, as affected by this act, is transferred to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act.

SECTION 9235. Appropriation changes; military affairs.

(1) REGIONAL EMERGENCY RESPONSE TEAMS. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection there is lapsed to the general fund $303,900 from the appropriation account to the department of military affairs under section 20.465 (3) (dr) of the statutes, as affected by the acts of 1999.

SECTION 9236. Appropriation changes; natural resources.

(1) BEAVER CONTROL FUNDING. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the fish and wildlife account of the conservation fund $352,000 from the appropriation account under section 20.370 (1) (Lr) of the statutes.

(1c) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to the general fund $15,000,000 in fiscal year 1999–00 and $7,000,000 in fiscal year 2000–01.

(2) SPEARFISHING ENFORCEMENT. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the general fund, from the appropriation to the department of natural resources under section 20.370 (5) (ea) of the statutes, an amount equal to the unencumbered balance in that appropriation on the day before the effective date of this subsection.

(3fx) PARKS FUNDING.

(af) There is transferred $1,630,000 from the parks account of the conservation fund to the general fund. **Vetoed In Part**

(bf) On July 1, 2000, there is transferred $500,000 from the parks account of the conservation fund to the general fund.

Vetoed In Part

(4c) ALL–TERRAIN VEHICLE ACCOUNT TRANSFER. There is transferred $625,000 from the all–terrain vehicle account of the conservation fund to the general fund.

(4f) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the recycling fund, from the appropriation account to the department of natural resources under section 20.370 (6) (br) of the statutes, as affected by this act, an amount equal to the unencumbered balance in that appropriation account on June 30, 1999, less $500,000.

SECTION 9238. Appropriation changes; public defender board.

(1h) PUBLIC DEFENDER CONFERENCES AND TRAINING. Immediately before the transfer under section 20.505 (6) (j) 15. of the statutes, as created by this act, to section 20.550 (1) (kj) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.550 (1) (kj) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 90% of the unencumbered balance in the appropriation account under section 20.550 (1) (j), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.550 (1) (j), 1997 stats., between August 1, 1999, and the effective date of this paragraph.

SECTION 9239. Appropriation changes; public instruction.

(1h) ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Immediately before the transfer under section 20.505 (6) (j) 4. of the statutes, as created by this act, to section 20.255 (1) (kd) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.255 (1) (kd) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 90% of the unencumbered balance in the appropriation account under section 20.255 (1) (hr), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.255 (1) (hr), 1997 stats., between August 1, 1999, and the effective date of this paragraph.

(2h) AID FOR ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Immediately before the transfer under section 20.505 (6) (j) 5. of the statutes, as created by this act, to section 20.255 (2) (kd) of the statutes, as affected by this act, the following amounts shall be transferred from the appropriation account under section 20.255 (2) (kd) of the statutes, as affected by this act, to the appropriation account under section 20.505 (6) (j) of the statutes, as created by this act:

(a) An amount equal to 90% of the unencumbered balance in the appropriation account under section 20.255 (2) (g), 1997 stats., at the end of the 1998–99 fiscal year.

(b) An amount equal to the moneys credited to the appropriation account under section 20.255 (2) (g), 1997 stats., between August 1, 1999, and the effective date of this paragraph.

SECTION 9241. Appropriation changes; public service commission.

(1d) TRANSFER TO DEPARTMENT OF PUBLIC INSTRUCTION. On the effective date of this subsection, there is transferred $43,500 from the appropriation to the public service commission under section 20.155 (1) (q) of the statutes, as affected by the acts of 1999, to the appropriation to the department of public instruction under section 20.255 (1) (ke) of the statutes, as affected by the acts of 1999. On July 1, 2000, there is transferred $45,500 from the appropriation to the public service commission under section 20.155 (1) (q) of the statutes, as affected by the acts of 1999, to the appropriation to the department of public instruction under section 20.255 (1) (ke) of the statutes, as affected by the acts of 1999.

SECTION 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.

Vetoed In Part

(2c) TRANSFERS TO THE LOTTERY FUND.

(a) On March 27, 2000, there is transferred from the general fund to the lottery fund $37,207,000.

(b) On March 26, 2001, there is transferred from the general fund to the lottery fund $216,689,300.

SECTION 9250. Appropriation changes; transportation.

(1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM TRANSFERS.

(a) On July 31, 1999, or on the 30th day after the effective date of this paragraph, whichever is later, there is transferred from the appropriation account to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $68,700.

(b) On July 31, 1999, or on the 30th day after the effective date of this paragraph, whichever is later, there

is transferred from the appropriation account to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $32,400.

(c) On July 31, 2000, there is transferred from the appropriation account to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $68,700.

(d) On July 31, 2000, there is transferred from the appropriation account to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1999, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum of $32,400.

(2) HAZARDOUS MATERIALS TRANSPORTATION REGISTRATION FEES. Notwithstanding section 20.002 (3m) of the statutes, on the effective date of this subsection, there is lapsed to the transportation fund, from the appropriation account to the department of transportation under section 20.395 (4) (bh) of the statutes, as affected by this act, an amount equal to the unencumbered balance in that appropriation account on the day before the effective date of this subsection.

SECTION 9257. Appropriation changes; workforce development.

(2) SCHOOL–TO–WORK PROGRAMS. The unencumbered balance in the appropriation account under section 20.445 (1) (kb) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account under section 20.445 (7) (kb) of the statutes, as affected by this act.

(5f) ALLOCATION OF SCHOOL–TO–WORK MONEYS. In fiscal year 1999–2000, the department of workforce development shall allocate at least $284,300 under section 20.445 (7) (kb) of the statutes, as affected by the acts of 1999, to the department of public instruction to support the costs of contracting with a vocational education consultant and other technical preparation–related costs. In fiscal year 2000–01, the department of workforce development shall allocate at least $284,300 under section 20.445 (7) (kb) of the statutes, as affected by the acts of 1999, to the department of public instruction for the same purpose.

SECTION 9258. Appropriation changes; other.

(1d) TRANSFERS TO BUDGET STABILIZATION FUND.

(a) *Legislative fiscal bureau certifications.*

1. No later than January 31, 2000, the legislative fiscal bureau shall certify to the joint committee on finance the bureau's estimate of the 1999–2000 and 2000–01 general fund supported expenditures for general obligation debt service.

2. No later than January 31, 2001, the legislative fiscal bureau shall certify to the joint committee on finance the bureau's estimate of the 2000–01 general fund supported expenditures for general obligation debt service.

(b) *Joint committee on finance passive review.*

1. If the cochairpersons of the joint committee on finance do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 1. within 14 working days after the date of the certification, the secretary of administration shall direct that the transfers under paragraphs (c) and (d) be made on the basis of the estimated expenditures certified by the legislative fiscal bureau. If, within 14 working days after the date of the certification, the cochairpersons of the committee notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 1., the secretary of administration shall make the transfers under paragraphs (c) and (d) only after the committee has notified the secretary of administration of the estimated expenditures approved by the committee, in which case the secretary of administration shall make the transfers required under paragraphs (c) and (d) on the basis of the estimated expenditures.

2. If the cochairpersons of the joint committee on finance do not notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 2. within 14 working days after the date of the certification, the secretary of administration shall direct that the transfers under paragraph (e) be made on the basis of the estimated expenditures certified by the legislative fiscal bureau. If, within 14 working days after the date of the certification, the cochairpersons of the committee notify the secretary of administration that the committee has scheduled a meeting for the purpose of reviewing the amounts certified under paragraph (a) 2., the secretary of administration shall make the transfers under paragraph (e) only after the committee has notified the secretary of administration of the estimated expenditures approved by the committee, in which case the secretary of administration shall make the transfers required under paragraph (e) on the basis of the estimated expenditures.

(c) *Transfers based on the 1999–2000 certification of the 1999–2000 expenditures for general obligation debt service.* If the estimated 1999–2000 general fund supported expenditures for general obligation debt service, as certified by the legislative fiscal bureau or approved by the joint committee on finance as specified under paragraph (b) 1., are less than the amount of the estimated 1999–2000 expenditures in the schedule under section 20.005 (1) of the statutes, as shown by SECTION

171 of this act, the difference shall be transferred from the general fund to the budget stabilization fund no later than June 30, 2000.

(d) *Transfers based on the 1999–2000 certification of the 2000–01 expenditures for general obligation debt service.* If the estimated 2000–01 general fund supported expenditures for general obligation debt service, as certified by the legislative fiscal bureau or approved by the joint committee on finance as specified under paragraph (b) 1., are less than the amount of the estimated 2000–01 expenditures in the schedule under section 20.005 (1) of the statutes, as shown by SECTION 171 of this act, the difference shall be transferred from the general fund to the budget stabilization fund no later than June 30, 2001.

(e) *Transfers based on the 2000–01 certification of the 2000–01 expenditures for general obligation debt service.* If the estimated 2000–01 general fund supported expenditures for general obligation debt service, as certified by the legislative fiscal bureau or approved by the joint committee on finance as specified under paragraph (b) 2., are less than the amount of the estimated 2000–01 expenditures in the schedule under section 20.005 (1) of the statutes, as affected by any amendments to the schedule approved under section 20.004 (2) of the statutes, the difference shall be transferred from the general fund to the budget stabilization fund no later than June 30, 2001.

SECTION 9301. Initial applicability; administration.

Vetoed In Part

(1d) LEGISLATIVE APPROVAL OF INDIAN GAMING COMPACTS AND PROPOSED INDIAN GAMING ESTABLISHMENTS. The treatment of section 14.037 of the statutes, the renumbering and amendment of section 14.035 of the statutes and the creation of section 14.035 (2) of the statutes first apply to gaming compacts negotiated by the governor and decisions made by the governor as described under 25 USC 2719 (1) (A) beginning on the effective date of this subsection.

Vetoed In Part

(2g) UNCLAIMED PRIZES. The treatment of sections 562.065 (4) of the statutes first applies to prizes that are unclaimed on the 90th day after the end of the 2000 racing season.

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 9307.0 Initial applicability; building commission. **Vetoed In Part**

(1x) LEASE/PURCHASE OF STATE BUILDINGS. The treatment of section 20.924 (1) (im) and (j) of the statutes first applies to contracts for the construction of any building, structure or facility, or portion thereof, for initial occupancy by the state that contain an option for the state to purchase the building, structure or facility entered into, or extended, modified or renewed, on the effective date of this subsection.

SECTION 9309. Initial applicability; circuit courts.

(1) LIABILITY OF CERTAIN SUBROGATED PLAINTIFFS. The treatment of sections 49.89 (2) and (3m) (bm), 803.03 (2) (b) and (bm) and 814.03 (3) of the statutes first applies to actions or claims commenced on the effective date of this subsection.

(1w) FEES FOR TERMINATION OF PARENTAL RIGHTS ACTIONS. The treatment of section 814.61 (1) (c) 4. of the statutes first applies to actions commenced on the effective date of this subsection.

(1x) FEES FOR ADOPTION ACTIONS. The treatment of section 814.61 (1) (c) 5. of the statutes first applies to actions commenced on the effective date of this subsection.

Vetoed In Part

(3t) CUSTODY AND PHYSICAL PLACEMENT STUDY FEE. The treatment of section 814.615 (1) (a) 3. of the statutes first applies to studies ordered on the effective date of this subsection.

(4t) PLACEMENT OR VISITATION WITH A PARENT WHO KILLS A PARENT. The treatment of sections 48.207 (1) (a) and (b), 48.345 (3) (a) and (b), 48.357 (4d), 48.42 (1m) (b), (c) and (e), 48.925 (1) (intro.) and (1m), 767.245 (1), (1m) and (6), 767.247, 767.325 (4m), 880.155 (2), (3m) and (4m), 880.157, 938.207 (1) (a) and (b), 938.34 (3) (a) and (b) and 938.357 (4d) of the statutes, the renumbering and amendment of sections 48.355 (3), 48.428 (6) and 938.355 (3) of the statutes and the creation of sections 48.355 (3) (b), 48.428 (6) (b) and 938.355 (3) (b) of the statutes first apply to orders for visitation or physical placement, and to orders modifying or revising visitation or physical placement orders, that are granted on the effective date of this subsection; to petitions to restrain and enjoin visitation and contact with a child that are filed on the effective date of this subsection; and to orders of the juvenile court placing a child in or removing a child from the home of a parent, guardian or relative or granting or prohibiting parental visitation granted on the effective date of this subsection; regardless of when the conviction of first–degree or 2nd–degree intentional homicide occurred.

Vetoed In Part

(6g) CONSENT DECREES. The treatment of section 48.32 (2) (a) of the statutes first applies to consent decrees entered into 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.

(3yt) RISK BASED ANALYSIS AND REIMBURSEMENT CHANGES TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (2e) (c), (3) (cp), (cs) and (g) and (4) (c) 11. of the statutes first applies to a discharge with respect to which activities under section 101.143 (3) (c) 3. or (g) of the statutes are begun on the effective date of this subsection.

(3yu) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM DEDUCTIBLES. The treatment of section 101.143 (4) (d) 2. (intro.), (dg), (dm) 2. a. and c. and (ei) 2. of the statutes first applies to a person who submits a remedial action plan, that is acceptable to the department of commerce or the department of natural resources, on November 1, 1999.

(3yv) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM INTEREST REIMBURSEMENT. The treatment of section 101.143 (4) (c) 8. of the statutes first applies to an applicant whose loan is secured on November 1, 1999.

(3yvf) PETROLEUM STORAGE REMEDIAL ACTION FEE REIMBURSEMENT. The treatment of section 101.143 (4) (c) 11. of the statutes first applies to fees that the department of natural resources or the department of commerce charges on the effective date of this subsection.

Vetoed In Part

(4x) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM. The treatment of section 145.245 (4) (a) and (c), (4m) (a) to (c) and (d), (5) (a) 1. (by SECTION 2221m), 2. (by SECTION 2223m) and 3., (5m) (a), (7) (d) and (11m) (am), (b) and (c) of the statutes first applies to applications under section 145.245 (8) of the statutes that are received by the department of commerce on the effective date of this subsection.

(5t) APPLICATIONS FOR SEWAGE SYSTEM GRANTS. The treatment of section 145.245 (5) (a) 1. (by SECTION 2220) and 2. (by SECTION 2222) and (c) 2., 3. and 4. of the statutes first applies to applications received by the department of commerce on February 1, 2000.

Vetoed In Part Vetoed In Part

(6bn) BROWNFIELDS AND GROUNDWATER CONTAMINATION GRANT CRITERIA. The treatment of section 560.13 (title), (2) (a) 1. and 2. (intro.) and (6m) of the statutes first applies to grants for which applications are submitted after April 16, 1999.

(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (as it relates to the duty of the recycling market development board to enter into contracts) of the statutes first applies to that contract after the termination of the contract.

SECTION 9311. Initial applicability; corrections.

(1) CONTRACTS FOR DATA ENTRY OR TELEMARKETING SERVICES. The treatment of section 301.029 of the statutes first applies to contracts entered into or renewed by the department of corrections on the effective date of this subsection.

(3g) INELIGIBILITY FOR INTENSIVE SANCTIONS PROGRAM. The treatment of sections 301.048 (4) (a) and 973.032 (2) (b) of the statutes, the renumbering and amendment of section 301.048 (2) of the statutes and the creation of section 301.048 (2) (bm) of the statutes first apply to the placement of persons in or the sentencing of persons to the intensive sanctions program on the effective date of this subsection.

(5xt) 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., 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., 118.125 (4), 165.76 (1) (a) (by SECTION 2288g), 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) (cm) 1., 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (7) (a) 3., 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 (4g) (a), 938.357 (4g) (b), 938.357 (4g) (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.51 (1) (intro.), 938.51 (1m), 938.51 (4) (intro.), 938.57 (1) (c), 938.57 (4), 938.78 (3), 939.635 (1), 939.635 (2) (b), 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7) (b), 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 9315. Initial applicability; employe trust funds.

(1e) STATE EMPLOYE GROUP HEALTH INSURANCE. The treatment of section 40.05 (4) (a) 2. of the statutes first applies to any teacher described under section 40.02 (25) (b) 1m. of the statutes who is hired on the effective date of this subsection.

(1m) SOCIAL SECURITY COVERAGE. The treatment of section 40.41 (6) (b) and (c) of the statutes first applies to services performed by a student in the employ of a school, college or university specified in section 40.41 (6) (c) of the statutes on July 1, 2000.

Vetoed In Part

(1p) WISCONSIN RETIREMENT SYSTEM. The treatment of section 40.03 (2) (g) of the statutes first applies to statements sent to participants in the Wisconsin retirement system on the first day of the 7th month beginning after the effective date of this subsection.

(2p) DEFERRED COMPENSATION PROGRAM. The treatment of section 40.82 (3) of the statutes first applies to statements sent to individuals who participate in a deferred compensation plan offered under subchapter VII of chapter 40 of the statutes on the first day of the 7th month beginning after the effective date of this subsection.

SECTION 9316. Initial applicability; employment relations commission.

(1f) QUALIFIED ECONOMIC OFFERS; COST OF COMPENSATION AND FRINGE BENEFIT INCREASES. The treatment of section 111.70 (1) (nc) 1. c. of the statutes first applies to the calculation of the cost of compensation and fringe benefit increases for periods of time beginning after June 30, 2001.

(3g) SUBMISSION OF QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (dm) and (4) (cm) 5s. of the statutes first applies to petitions for arbitration filed under section 111.70 (4) (cm) 6. of the statutes relating to collective bargaining agreements that cover periods of time beginning after June 30, 2001.

Vetoed In Part

SECTION 9317.0 Initial applicability; employment relations department.

(3p) RECORDING OF HOURS WORKED DURING A PAY PERIOD. The treatment of section 230.04 (19m) of the statutes first applies to forms used by a state agency to record hours worked by an employe for the pay period closest to the first day of the 7th month beginning after the effective date of this subsection.

SECTION 9318. Initial applicability; ethics board.

(1gg) IDENTIFICATION OF BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The treatment of section 13.67 (1) of the statutes first applies with respect to lobbying communications made on July 1, 2000.

(1gh) REPORTING CONCERNING BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The treatment of section 13.68 (1) (bn) of the statutes first applies with respect to the reporting period under section 13.62 (12r) of the statutes beginning on July 1, 2000.

SECTION 9319. Initial applicability; financial institutions.

(1g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV of chapter 224 [precedes 224.90] of the statutes first applies to nondepository small business lenders on the effective date of this subsection.

SECTION 9323. Initial applicability; health and family services.

(2) SUPERVISED RELEASE AND PERIODIC REEXAMINATION OF SEXUALLY VIOLENT PERSONS.

(ag) *Initial commitment orders.* The treatment of sections 980.06 (1) and (2) (a), (b) and (c) and 980.065 (1m) of the statutes first applies to initial commitment orders in cases in which judgment is entered under section 980.05 (5) of the statutes on the effective date of this paragraph.

(ah) *Interlocutory appeals.* The treatment of section 980.05 (6) of the statutes first applies to cases in which judgment is entered under section 980.05 (5) of the statutes on the effective date of this paragraph.

(b) *Periodic reexamination.* The treatment of section 980.07 (1) of the statutes (with respect to the determination to be made at the time of reexamination) first applies to examinations of a sexually violent person that occur on the effective date of this paragraph.

(bg) *Petitions for supervised release.* The treatment of section 980.08 (1) of the statutes first applies to persons committed under section 980.06 of the statutes, as affected by this act, in cases in which judgment is entered under section 980.05 (5) of the statutes on the effective date of this paragraph.

(bh) *Orders for supervised release.* The treatment of section 980.06 (2) (d) of the statutes (with respect to the duties of the department of health and family services under a supervised release order) first applies to orders for supervised release issued under section 980.08 of the statutes, as affected by this act, on the effective date of this paragraph.

(cg) *Revocation of supervised release.* The treatment of section 980.06 (2) (d) of the statutes (with respect to time for submitting a statement showing probable cause for a detention and a petition for revocation of supervised release) first applies to detentions commencing on the effective date of this paragraph.

(ch) *Victim notification.* The treatment of sections 950.04 (1v) (xm) and 980.11 (2) (intro.) of the statutes first applies to the placement of a person on supervised release under section 980.08 of the statutes, as affected by this act, on the effective date of this paragraph.

(3) COMMUNITY–BASED RESIDENTIAL FACILITY CLIENT REFERRALS. The treatment of section 50.035 (7) (c) of the statutes first applies to applications for admission to a community–based residential facility made on the effective date of this subsection.

(4) ELIGIBILITY FOR COVERAGE UNDER THE HEALTH INSURANCE RISK–SHARING PLAN. The renumbering and amendment of section 149.12 (2) (d) of the statutes and the creation of section 149.12 (2) (d) 2. of the statutes (with respect to a person who has coverage under the health insurance risk–sharing plan when he or she attains age 65) first apply to persons who attain age 65 on the effective date of this subsection.

(9) TRANSFER OF RADIATION INSTALLATION. The treatment of section 254.35 (2) of the statutes first applies to transfers of radiation installations that are made 16 days after the effective date of this subsection.

(10) FORFEITURES FOR RADIATION VIOLATIONS. The treatment of section 254.45 of the statutes first applies to violations committed on the effective date of this subsection.

(11) ESTATE RECOVERY.

(a) The treatment of section 49.496 (2) (title), (a), (b) 3., (c) 1., (f) 3. and 4. and (h) of the statutes first applies with respect to an individual who received medical assistance on the effective date of this paragraph.

(b) The treatment of section 49.496 (3) (a) 2. d. of the statutes first applies with respect to services provided under section 49.46 (2) (b) 6. j. of the statutes on the effective date of this paragraph.

Vetoed In Part

(11m) CONSOLIDATED CONTRACTS. The treatment of section 46.036 (8) of the statutes first applies to contracts entered into on the effective date of this subsection.

(11t) LEAD SCREENING PERFORMANCE STANDARDS. The treatment of section 49.45 (22) of the statutes first applies to contracts that take effect on January 1, 2000.

Vetoed In Part

(12g) SPECIAL NEEDS ADOPTION. The treatment of section 48.833 (3) of the statutes first applies to children who are placed for adoption on the effective date of this subsection.

(12h) PERMANENCY PLANS. The treatment of section 48.38 (4) (dm) of the statutes, the amendment of section 48.38 (4) (d) of the statutes and the creation of section 48.38 (4) (d) 1m. of the statutes first apply to permanency plans filed on the effective date of this subsection.

(12t) MEDICAL ASSISTANCE DIVESTMENT. The treatment of section 49.453 (4) (title), (am) and (c) of the statutes, the renumbering and amendment of section 49.453 (4) (a) of the statutes and the creation of section 49.453 (4) (a) 1. and 2. of the statutes first apply to transfers made on the effective date of this subsection.

(12z) HEALTH INSURANCE RISK–SHARING PLAN.

(a) The treatment of sections 149.14 (2) (a), (3) (d), (4) (n), (4c) (b), (5) (title) and (e) and (8) (a) and 149.17 (2) of the statutes first applies to policies issued or renewed on January 1, 2000.

(b) The treatment of section 149.145 of the statutes (as it relates to requiring board approval of the program budget) first applies to the program budget established for fiscal year 2000–01.

(c) The treatment of section 149.16 (5) of the statutes first applies to contracts entered into on the effective date of this paragraph.

(d) The treatment of section 149.165 (2) (e) of the statutes first applies to premiums payable under policies issued or renewed on the effective date of this paragraph.

Vetoed In Part

(13f) INCOME AUGMENTATION ACTIVITIES. The treatment of sections 20.435 (8) (mb) and 46.46 (1) of the statutes first applies to income augmentation activities performed under section 46.46 (1) of the statutes on the effective date of this subsection, but does not affect any contract to perform income augmentation activities under section 46.46 (1), 1997 stats., entered into before the effective date of this subsection.

(13z) ALCOHOL AND OTHER DRUG TESTING OF MINORS. The treatment of section 51.48 of the statutes first applies to a minor who is tested for the presence of alcohol or other drugs in the minor's body on the effective date of this subsection.

(14g) CONFIDENTIALITY OF ABUSE AND NEGLECT REPORTS AND RECORDS. The treatment of section 48.981 (7) (b) of the statutes first applies to abuse and neglect reports and records, as defined in section 48.981 (1) (f) of the statutes, that are disclosed on the effective date of this subsection.

Vetoed In Part

SECTION 9325.0 Initial applicability; Housing and Economic Development Authority.

(1g) FARM ASSETS REINVESTMENT MANAGEMENT LOAN GUARANTEES. The treatment of section 234.91 (5) (a) of the statutes first applies to loans, the collection of which is guaranteed on the effective date of this subsection.

SECTION 9326. Initial applicability; insurance.

(1m) REFERRALS FOR OBSTETRIC OR GYNECOLOGIC SERVICES.

(a) Except as provided in paragraph (b), if a policy or certificate that is affected by the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes contains terms or provisions that are inconsistent with the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes, the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes first applies to that policy or certificate upon renewal.

(b) The treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes first applies to policies and group certificates covering employes who are affected by a collective bargaining agreement containing provisions that are inconsistent with the treatment of sections 609.05 (2) and (3) and 609.22 (4m) 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.

(2n) COPAYS FOR COVERAGE OF ALCOHOLISM AND OTHER DISEASES. The treatment of section 632.89 (2) (a)

2., (b) 1., (c) 2. b., (d) 2. and (dm) 2. of the statutes first applies to policies issued or renewed on the effective date of this subsection.

(4g) POINT–OF–SERVICE OPTION PLANS. The treatment of sections 40.05 (4) (ag) 2., 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c), (2) and (6) and 609.20 (3) and (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the statutes and the creation of section 609.10 (3) (b) of the statutes first apply to all of the following:

Vetoed In Part

(a) Except as provided in paragraph (b), health maintenance organizations and preferred provider plans that are issued or renewed on the effective date of this paragraph.

(b) Health maintenance organizations and preferred provider plans covering employes who are affected by a collective bargaining agreement containing provisions inconsistent with the treatment of sections 40.05 (4) (ag) 2., 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c), (2) and (6) and 609.20 (3) and (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the statutes and the creation of section 609.10 (3) (b) of the statutes that are issued or renewed on the earlier of the following:

Vetoed In Part

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 9336. Initial applicability; natural resources.

(1) WILD ANIMAL FARM LICENSE FEES AND SURCHARGES. The treatment of section 29.563 (9) (a) 2., 3., 5. and 10., (b) and (c) of the statutes first applies to licenses issued on the effective date of this subsection.

(1k) HAZARDOUS WASTE GENERATOR FEE. The treatment of section 289.67 (2) (b) 1. and 2. of the statutes first applies to fees assessed on May 1, 2000.

(2) BONUS DEER HUNTING PERMITS. The treatment of sections 29.181 (2m), 29.559 (1r) and 29.563 (14) (c) 4. of the statutes first applies to bonus deer hunting permits issued on the effective date of this subsection.

(4) SNOWMOBILE TRAIL USE STICKERS. The treatment of section 350.12 (3j) (b) of the statutes first applies to snowmobile trail use stickers issued on the effective date of this subsection.

(5) BOAT CERTIFICATION AND REGISTRATION PERIODS. The treatment of section 30.52 (2) and (3) (b), (c), (d), (e), (f), (fm), (h), (i) and (im) of the statutes first applies to certificates of number or registration issued or renewed on the effective date of this subsection.

(9c) WILD TURKEY HUNTING LICENSES. The treatment of section 29.164 (3) (ci) and (cm) of the statutes first applies to wild turkey hunting licenses issued on the effective date of this subsection.

(9d) TIMBER SALES. The treatment of sections 28.05 (2), 28.11 (6) (b) 1. and 28.22 of the statutes first applies to timber sales occurring on the effective date of this subsection.

SECTION 9339. Initial applicability; public instruction.

(2) INTERDISTRICT TRANSFER PUPILS AND REVENUE LIMITS. The treatment of sections 121.004 (7) (a) (intro.) and (f), 121.05 (1) (a) 11. and 121.85 (6) (a) 2., (b) 1. and (f) of the statutes first applies to the distribution of state aid in, and to the revenue limits for, the 2000–01 school year.

(3) DISTRIBUTION OF SCHOOL AID AND REVENUE LIMITS. The treatment of sections 121.07 (7) (b), 121.105 (2) (a) 1., 121.90 (2) (intro.), 121.905 (3) (a) 1., 121.91 (3) (d) and 121.92 (title), (1) and (2) (a), (b) and (e) of the statutes, the renumbering and amendment of section 121.905 (4) of the statutes and the creation of section 121.905 (4) (b) 2. of the statutes first apply to the distribution of school aid in, and to the revenue limits for, the 1999–2000 school year.

(4) HANDICAPPED EDUCATION AID REIMBURSEMENT.

(a) The treatment of sections 115.88 (1m) (a) and (b) and (2), 115.882, 115.93 (1) and (2) and 118.255 (4) of the statutes first applies to state aid paid in the 1999–2000 school year.

(b) The treatment of section 115.88 (1m) (am) and (2m) of the statutes first applies to state aid paid in the 2000–01 school year.

(4g) SCHOOL PERFORMANCE REPORTS. The renumbering and amendment of section 115.38 (1) (b) of the statutes and the creation of section 115.38 (1) (b) 2. of the statutes first apply to reports required, under section 115.38 (2) of the statutes, to be distributed by January 1, 2002.

(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.

(6j) SUMMER CLASSES; MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 121.004 (8) of the statutes, the renumbering and amendment of section 119.23 (1) of the statutes and the creation of section 119.23 (1) (b) and (c), (4) (a) and (4m) of the statutes first apply to payments made for academic summer classes and laboratory periods attended in 1999.

(7c) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23 (2) (a) 1. of the statutes first applies to pupils who attend a private school under section 119.23 of the statutes in the 1998–99 school year.

Vetoed In Part

(7h) STATE AID; MILWAUKEE PARENTAL CHOICE PROGRAM AND MILWAUKEE CHARTER SCHOOLS. The treatment of section 121.08 (4) of the statutes first applies to state aid distributed in the 1999–2000 school year.

(7x) SCHOOL BREAKFAST PROGRAM. The treatment of sections 20.255 (2) (cm) and 115.341 of the statutes first applies to the distribution of school breakfast program

aid in the school year beginning after the effective date of this subsection.

(8c) COMPENSATION AND FRINGE BENEFIT INCREASES FOR NONREPRESENTED PROFESSIONAL SCHOOL DISTRICT EMPLOYES. The treatment of section 118.245 (3) of the statutes first applies to the calculation of the cost of compensation and fringe benefit increases for periods of time beginning after June 30, 2001.

SECTION 9341. Initial applicability; public service commission.

(1g) 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.

(1m) OFFICE OF THE COMMISSIONER OF RAILROADS. The treatment of section 189.02 (7) of the statutes first applies to personnel or budget requests submitted to the public service commission on the effective date of this subsection.

(1zt) HIGH–VOLTAGE TRANSMISSION LINES. The treatment of section 196.491 (3) (d) 3r. and 3t. of the statutes first applies to applications for certificates of public convenience and necessity that are filed with the public service commission on the effective date of this subsection.

SECTION 9342. Initial applicability; regulation and licensing.

(2) HEARING INSTRUMENT SPECIALIST LICENSES. The treatment of sections 440.08 (2) (a) 38. and 459.09 of the statutes first applies to hearing instrument specialist licenses that expire on February 1, 2000.

(2g) DISCLOSURES AND REPRESENTATIONS FOR CERTAIN SALES. The treatment of section 440.947 of the statutes first applies to sales or offers to sell that are made on the effective date of this subsection.

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.

(1g) DEVELOPMENT ZONES INVESTMENT CREDIT IN DEVELOPMENT OPPORTUNITY ZONES.

(a) The treatment of sections 71.07 (2di) (a) (intro.) and 1., (d) 1., (f), (g) and (i), 71.28 (1di) (a) (intro.) and 1., (d) 1., (f), (g) and (j), 71.47 (1di) (a) (intro.) and 1., (d) 1., (f), (g) and (i), 560.70 (7) and 560.795 (3) (d) of the statutes first applies to taxable years beginning on January 1, 2000.

(b) The treatment of sections 71.07 (2dx) (b) (intro.), (c) and (d), 71.28 (1dx) (b) (intro.), (c) and (d) and 71.47 (1dx) (b) (intro.), (c) and (d) of the statutes first applies to taxable years beginning on January 1, 1999.

(1zt) TRANSMISSION COMPANY LICENSE FEE. The treatment of sections 76.28 (1) (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d) and (e) and 196.485 (1) (ge) 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 76.28 (1) (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d) and (e) 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. **Vetoed In Part**

(2g) INCOME AND FRANCHISE TAX RETURN; ENDANGERED RESOURCES DONATION. The treatment of sections 20.370 (1) (fs), 20.566 (1) (hp), 25.29 (1) (a) and 71.30 (10) of the statutes (as it relates to an endangered resources donation designation on a corporate income and franchise tax return) first applies to taxable years beginning on January 1, 2001.

(3) TUITION EXPENSE DEDUCTION, LIMITATIONS AND PRORATION. The treatment of section 71.05 (6) (b) 28. f. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (b) 28. f. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(4) ITEMIZED DEDUCTION CREDIT, EDUCATIONAL EXPENSES. The treatment of section 71.07 (5) (a) 8. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.07 (5) (a) 8. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(5) TREATMENT OF DEDUCTIONS FOR REPAYMENTS OF SUPPLEMENTAL UNEMPLOYMENT COMPENSATION FOR NONRESIDENTS. The treatment of section 71.05 (6) (a) 12. of the statutes (as it relates to repayments of supplemental unemployment compensation) first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (a) 12. of the statutes (as it relates to repayments of supplemental unemployment compensation) first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(6) REFUND TO INDIAN TRIBES OF CIGARETTE TAXES. The treatment of sections 139.323 (intro.) and 139.325 of the statutes first applies to taxes imposed on the first day of the 2nd month commencing after the effective date of this subsection.

(7) CHANGE OF TOBACCO PRODUCTS TAX TO EXCISE TAX. The treatment of sections 139.76 (1) and (2), 139.803, 139.805 and 139.82 (8) of the statutes first applies to claims for refunds of tobacco product taxes filed and to tobacco product taxes imposed on the first day of the 2nd month commencing after the effective date of this subsection.

Vetoed In Part

(7c) MASS TRANSIT FRINGE BENEFIT EXCLUSION. The treatment of section 71.05 (6) (b) 31. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(8) SALES AND USE TAX LATE FILING FEE. The treatment of section 77.60 (2) (intro.) of the statutes first applies to returns that are filed for periods beginning after September 30, 1999.

(9) INCOME TAX REFUNDS; FORMERLY MARRIED PERSONS. The treatment of section 71.75 (8) of the statutes first applies to a judgment of divorce that is entered on the effective date of this subsection.

(13) TRANSFER OF CONTAMINATED LANDS. The treatment of section 75.17 of the statutes first applies to land for which a tax certificate is issued on the effective date of this subsection.

(13g) CHANGES TO METHOD OF TAXING CERTAIN TRUSTS. The treatment of sections 71.02 (1) and 71.14 (3) (intro.) and (3m) of the statutes first applies to taxable years beginning on January 1, 1999.

(14g) LOTTERY AND GAMING CREDIT. The treatment of section 79.10 (10) (bn) of the statutes first applies to the property tax assessments as of January 1, 1999.

(16) COLLECTED TAXES RETAINED BY THE STATE. The treatment sections 20.835 (4) (g) and 77.76 (3) and (4) of the statutes first applies to the distribution of county sales tax revenues to counties on the first day of the first month beginning after publication.

(20) MODIFICATION OF THE INDIVIDUAL INCOME TAX SYSTEM. The treatment of sections 71.01 (16), 71.05 (6) (b) 29. and 71.07 (5) (a) 7. of the statutes first applies to taxable years beginning on January 1, 2000.

(20tx) INCOME TAX FILING THRESHOLDS. The treatment of section 71.03 (2) (a) 1. of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect on or after October 1 this act first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

Vetoed In Part

(20ty) ARMED FORCES MEMBER TAX CREDIT. The treatment of sections 71.07 (6m), 71.08 (1) (intro.) (as it relates to the armed forces member tax credit) and 71.10 (4) (cm) of the statutes first applies to taxable years that begin on January 1, 2000.

Vetoed In Part

(22c) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. The treatment of sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.) (as it relates to the sustainable urban development zone credit), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect except that if this subsection takes effect after July 31 the treatment of sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(22d) DEVELOPMENT ZONES CREDIT. The treatment of sections 71.07 (2dx) (b) (intro.), 71.28 (1dx) (b) (intro.) and 71.47 (1dx) (b) (intro.) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect except that if this subsection takes effect after July 31 the treatment of sections 71.07 (2dx) (b) (intro.), 71.28 (1dx) (b) (intro.) and 71.47 (1dx) (b) (intro.) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(22dd) 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, 2000.

(22f) TRANSITIONAL ADJUSTMENT FEE CREDIT. The treatment of section 76.91 (1m) of the statutes first applies retroactively to transitional adjustment fees paid in May 1998.

Vetoed In Part

(22fd) TAXABLE SERVICES. The treatment of sections 71.04 (7) (dr) and 71.25 (9) (dr) of the statutes first applies to taxable years beginning on January 1, 2000.

(22md) RECYCLING FEE. The treatment of section 79.05 (2) (c) of the statutes first applies to distribution payments that are due on the 4th Monday in July, 2000.

Vetoed In Part

(22t) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. The treatment of sections 71.22 (1r), 71.23 (1), 71.25 (5) (a) (intro.) and (15), 71.26 (3) (L), 71.43 (1) and 71.45 (6) of the statutes first applies to taxable years beginning on January 1, 1999.

Vetoed In Part

(22tm) PER ACRE VALUE GUIDELINES. The treatment of section 73.03 (2a) of the statutes first applies to per acre value guidelines related to the property tax assessments as of January 1, 2000.

(22tx) DIGITAL BROADCASTING EQUIPMENT. The treatment of section 70.111 (25) of the statutes first applies to the property tax assessment as of January 1, 2000.

Vetoed In Part

(23am) AGRICULTURAL USE VALUE. The treatment of sections 70.32 (2) (c) 1. and 74.48 (2) and (3) of the statutes, the renumbering of 74.48 (1) of the statutes and the

creation of 74.48 (1) (b) of the statutes first apply to property that is assessed as of January 1, 2000.

(23b) MOTION PICTURE THEATER EQUIPMENT. The treatment of section 70.111 (24) of the statutes first applies to the property tax assessments as of January 1, 2000.

Vetoed In Part

(23c) AD VALOREM TAXPAYERS, COMPUTER EXEMPTIONS. The treatment of sections 70.11 (39), 76.025 (1) and 76.03 (1) of the statutes first applies to the property tax assessments as of January 1, 2000.

(23cm) SITUS OF LOTTERY INCOME. The treatment of sections 71.04 (1) (a) and (9), 71.05 (6) (b) 9., 71.23 (1) and (2), 71.25 (5) (b), 71.26 (1) (a), 71.362 (1) and (2), 71.43 (1) and (2), 71.45 (1), (2) (a) 15. and (3r), 71.46 (3) and 71.67 (4) (a) of the statutes first applies to taxable years beginning on January 1, 1999.

(23em) RECYCLING SURCHARGE. The treatment of sections 77.92 (4) and (4r), 77.93 (intro.), (1) and (4), 77.94 (1) (intro.), (a), (b) and (c), (3) and (4), 77.945 and 77.96 (6), chapter 77 (title) and subchapter VII (title) of chapter 77 of the statutes first applies to taxable years beginning after December 31, 1999.

(23g) ELECTRICITY SOLD FOR FARMING. The treatment of section 77.54 (30) (a) 3. of the statutes first applies to electricity sold for use in farming on May 1, 2000.

(23h) PROPERTY TAX EXEMPTION REPORT FILING FEE. The treatment of section 70.337 (5) of the statutes first applies to filing fees that are due on March 31, 2000.

(23v) DEPRECIATION DEDUCTIONS. The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1m) and 71.45 (2) (a) 13. of the statutes first applies to property placed in service in taxable years beginning on January 1, 1999.

(23w) DRY CLEANING FEES. The treatment of section 77.9961 (1) and (2) of the statutes, the renumbering of section 77.9961 (4) of the statutes and the creation of section 77.9961 (4) (b) of the statutes (as it relates to instalment payments) first apply to a license fee instalment payment that is due on April 25, 2000.

(23x) INTERNAL REVENUE CODE. The treatment of sections 71.01 (6) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n), 71.22 (4) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n) and (4m) (c), (d), (e), (f), (g), (h), (i), (j), (k) and (L), 71.26 (2) (b) 5., 6., 7., 8., 9., 10., 11., 12., 13. and 14., 71.34 (1g) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n) and 71.42 (2) (d), (e), (f), (g), (h), (i), (j), (k), (L) and (m) of the statutes first applies on the dates that the change to the Internal Revenue Code made by Public Laws 105–178, 105–206 and 105–277 applies for federal income tax purposes.

SECTION 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 9349. Initial applicability; tourism.

(1m) 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 January 1, 2000.

(2) LATE PAYMENT FEES FOR TELEPHONIC MOTOR TRUCK REGISTRATION. The treatment of section 341.19 (1) (b) of the statutes first applies to fees owed for using the telephone call–in procedure under section 341.19 of the statutes on the effective date of this subsection.

(2m) TRANSPORTATION PROJECT COMMISSION REVIEW. The treatment of section 13.489 (1m) (e) of the statutes first applies to major highway projects for which the department of transportation commences preliminary engineering or design work or studies on April 1, 2000.

(4) SERVICE–OF–PROCESS FEES. The treatment of section 345.09 (2) of the statutes first applies to processes and notices served upon the secretary of transportation under section 345.09 (1) of the statutes on the effective date of this subsection.

(4g) INSTRUCTIONAL PERMITS AND PROBATIONARY LICENSES.

(a) The treatment of sections 343.085 (2m) and 343.32 (2) (bc) of the statutes, the renumbering and amendment of section 343.085 (1) and 343.32 (2) (c) of the statutes and the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes first apply to licenses and permits applied for on the effective date of this paragraph.

(b) The treatment of sections 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c) and (3) and 343.21 (1) (i) and (ir) of the statutes first applies to licenses and permits applied for on the effective date of this paragraph.

(4h) 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, or on the day after the effective date of this subsection, whichever is later.

(4md) FULLY ALLOCATED COST METHODOLOGY.

(a) The treatment of section 85.20 (8) of the statutes first applies to bids solicited on the effective date of the emergency rules promulgated under SECTION 9150 (2bm) (b) of this act.

(b) The treatment of section 85.20 (1) (g) of the statutes first applies to services contracted under a bid solicited on the effective date of the emergency rules promulgated under SECTION 9150 (2bm) (b) of this act.

(4mg) LOCAL ROADS IMPROVEMENT PROGRAM. The treatment of sections 86.31 (2) (b) and (d) 1., 1m., 2. and 3. and (6) (g) and (h) of the statutes, the renumbering and

amendment of section 86.31 (2) (d) 5. of the statutes and the creation of section 86.31 (2) (d) 5. a. and b. of the statutes first apply to bids that are solicited and to work performed by county highway departments on the effective date of the emergency rules promulgated under SECTION 9150 (2bgm) (b) of this act.

(4t) LOCAL SEGREGATED ACCOUNT.

(a) The treatment of section 86.30 (11) (a) (intro.) and (b) of the statutes first applies to aids payable under section 86.30 of the statutes, as affected by this act, for calendar year 2001.

(b) The treatment of section 86.30 (11) (a) 2. of the statutes first applies to moneys received or allocated for local highway purposes on January 1, 2001.

(c) The treatment of section 85.20 (6m) (a) (intro.) and (b) of the statutes first applies to aids payable for calendar year 2001 under a contract under section 85.20 of the statutes.

(d) The treatment of section 85.20 (6m) (a) 2. of the statutes first applies to moneys received or allocated for a mass transit system, as defined in section 85.20 (1) (e) of the statutes, on January 1, 2001.

Vetoed In Part

(4z) TRANSPORTATION ENHANCEMENT ACTIVITY AND SURFACE TRANSPORTATION DISCRETIONARY GRANTS. The treatment of sections 85.026 (3) and 85.243 (2) (a) and (ar) of the statutes first applies to grants awarded during the 2001–03 fiscal biennium.

(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 December 1, 1999.

(8) GENERAL TRANSPORTATION AIDS; TRAFFIC POLICE COSTS. The treatment of section 86.303 (6) (c) 4. and (cm) of the statutes first applies to aids payable in calendar year 2000.

(9) URBAN MASS TRANSIT OPERATING ASSISTANCE PROGRAM. The treatment of section 85.20 (4m) (a) (intro.) of the statutes first applies to aid allocations or aid contracts for urban mass transit system operating expenses for calendar year 2000.

Vetoed In Part

(10c) 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.

(10d) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a), 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes act first applies to salvage vehicles acquired by a dealer on the effective date of this subsection.

(11g) SUSPENSION OF OPERATING PRIVILEGES FOR FAILURE TO PAY CERTAIN FORFEITURES. The treatment of sections 345.47 (1) (b), 800.09 (1) (c), 800.095 (4) (b) 4., 938.17 (2) (d), 938.34 (8) and 938.343 (2) of the statutes first applies to forfeitures imposed on the first day of the second month beginning after publication.

SECTION 9351. Initial applicability; treasurer.

(1g) UNCLAIMED PROPERTY. The renumbering of section 177.01 (10) of the statutes and the creation of section 177.01 (10) (b) of the statutes first apply to credit balances issued by a business association on January 1, 1998.

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 9357. Initial applicability; workforce development.

(3) ASSIGNMENT OF RECEIVING AND DISBURSING FEES. The treatment of sections 767.265 (1), (2h) (by SECTION 3059) and (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the statutes and the amendment of section 767.265 (1m) of the statutes first apply to annual receiving and disbursing fees that are ordered on the effective date of this subsection.

(4) INCOME CALCULATION. The treatment of sections 49.145 (3) (b) 2. and 49.155 (1m) (b) 3. and (c) 1g. and 1h., the renumbering and amendment of section 49.155 (1m) (c) 1. of the statutes and the creation of section 49.155 (1m) (c) 1. a. and b. of the statutes first applies to the calculation of the income of a person who applies for the Wisconsin works program on the effective date of this subsection.

(5) FINANCIAL PLANNING SERVICES. The treatment of section 49.143 (2) (cr) of the statutes first applies to contracts entered into or renewed on the effective date of this subsection.

(6) BASIC EDUCATION UNDER WISCONSIN WORKS. The treatment of section 49.147 (1m) of the statutes first applies to contracts to administer Wisconsin works that are entered into or renewed on the effective date of this subsection.

(6d) PERFORMANCE BONUSES. The treatment of section 49.143 (3g) of the statutes first applies with respect to contracts to administer Wisconsin works that have a term beginning on January 1, 2002.

Vetoed In Part

(7g) STATEWIDE ADVISORY GROUP. The treatment of section 49.143 (1) (am) 1. and (3) of the statutes (with respect to consulting with a statewide advisory group) first applies to performance standards established for Wisconsin works agency contracts having a term beginning on January 1, 2002.

(8g) RETURN OF BENEFITS WITHHELD. The treatment of section 49.143 (2) (ct) of the statutes first applies to contracts having a term that begins on January 1, 2000.

(9c) DISTRIBUTION OF WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. The treatment of section 49.143 (2) (es) of the statutes, as created by this act, first applies to contracts entered into or renewed on the effective date of this subsection.

(9yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

(a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION 2002c), 120.13 (2) (g), 565.30 (5m) (a) (by SECTION 3025pa), 632.897 (10) (a) 3., 767.045 (1) (a) 2., (am) and (e) and (4m), 767.078 (1) (a) 1. and (2), 767.11 (12) (b), 767.115 (title) and (4), 767.23 (1) (a), (am), (c) and (k) and (1n), 767.24 (1), (1m), (2) (a), (am), (b) and (c), (4) (c) and (5) (intro.), (a), (bm), (cm), (dm), (em), (fm), (g) and (jm), 767.242, 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b) and (5), 767.253, 767.254 (2) (intro.), 767.265 (1) (by SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267 (1), 767.29 (1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION 3065cf), 767.32 (1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m), 767.45 (7), 767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5), (5d) and (5p), 767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d) 1. and 3., 808.075 (4) (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and amendment of section 767.24 (4) (a) of the statutes and the creation of section 767.24 (4) (a) 3. of the statutes first apply to actions affecting the family, including actions to enforce or modify a judgment or order in an action affecting the family previously granted, that are commenced on the effective date of this paragraph.

Vetoed In Part

Vetoed In Part

Vetoed In Part

(b) The treatment of sections 767.25 (6) (intro.) and 767.261 (intro.) of the statutes first applies to arrearages existing or accruing on the effective date of this paragraph, regardless of when the order on which the arrearages are based was entered.

SECTION 9358. Initial applicability; other.

(2) ENVIRONMENTAL REMEDIATION TAX INCREMENTAL FINANCING. The treatment of section 66.462 (1) (c) and (i), (2) and (4) (a) of the statutes first applies to an environmental remediation tax incremental financing district, the written remediation proposal for which is approved by the political subdivision's governing body on the effective date of this subsection.

(4cs) REPRESENTATION IN PROCEEDINGS INVOLVING CHILDREN IN NEED OF PROTECTION OR SERVICES. The treatment of sections 48.20 (8), 48.21 (3) (d), 48.23 (3) and (4) and 48.27 (4) (a) 2. of the statutes, the renumbering and amendment of section 48.23 (2) of the statutes and the creation of section 48.23 (2) (b) of the statutes first apply to proceedings commenced under section 48.13 of the statutes on the effective date of this subsection.

Vetoed In Part

Vetoed In Part

(4ct) REPRESENTATION IN PROCEEDINGS INVOLVING JUVENILES IN NEED OF PROTECTION OR SERVICES. The treatment of sections 938.20 (8), 938.21 (3) (d), 938.23 (2), (3) and (4), 938.243 (1) (e) and 938.27 (4) (b) of the statutes first applies to proceedings commenced under section 938.13 of the statutes on the effective date of this subsection.

Vetoed In Part

(5f) FULL–TIME DISTRICT ATTORNEY FOR RICHLAND AND RUSK COUNTIES. The treatment of section 978.01 (2) (b) of the statutes first applies to the district attorneys elected at the year 2000 general election.

(5x) HUMAN BIOLOGICAL SPECIMENS FOR DEOXYRIBONUCLEIC ACID ANALYSIS. The treatment of sections 973.046 (1) (intro.), (a) and (b) and (1g) and 973.047 (1) (a) and (b) of the statutes first applies to sentencing proceedings that occur on the effective date of this subsection.

(5zv) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section 236.13 (1) (c) of the statutes first applies to all of the following:

(a) A preliminary plat submitted on the effective date of this paragraph.

(b) A final plat submitted on the effective date of this paragraph if no preliminary plat was submitted, a preliminary plat was submitted but not approved or the final plat was submitted more than 24 months after the last required approval of any preliminary plat submitted and approved.

(6d) VIDEO GAMBLING MACHINES. The treatment of section 945.05 (1) (intro.) and (1m) of the statutes, the renumbering and amendment of sections 945.03 and 945.04 of the statutes and the creation of sections 945.03 (2m) and 945.04 (2m) of the statutes first apply to offenses committed on the effective date of this subsection.

(6e) REVOCATION OF CLASS "B" AND "CLASS B" LICENSES. The treatment of section 945.041 (11) of the statutes first applies to revocation proceedings commenced on the effective date of this subsection.

(6m) PROBATION FOR OPERATING WHILE INTOXICATED OFFENSES. The renumbering and amendment of section 973.09 (1) (d) of the statutes and the creation of section 973.09 (1) (d) 2. and 3. of the statutes first apply to offenses committed on the effective date of this subsection.

(7c) INTOXICATING LIQUOR DEALERSHIPS. The treatment of section 135.066 of the statutes, the renumbering and amendment of section 135.02 (3) of the statutes and the creation of section 135.02 (3) (b) of the statutes first apply to dealerships as defined in section 135.02 (3) of the statutes, as affected by this act, in effect on October 1, 1998, and to any cause of action under chapter 135 of the statutes for which final judgment has not been entered on or before the day after publication.

Vetoed In Part

(7g) DISTRIBUTION OF FREE NEWSPAPERS. The treatment of section 134.48 of the statutes first applies to contracts entered into or renewed on the effective date of this subsection.

(7m) STATE PROCUREMENT OF TONER CARTRIDGES. The treatment of sections 16.70 (13m) and 16.74 (5m) of the statutes, the renumbering of section 16.72 (2) (e) of the statutes and the creation of section 16.72 (2) (e) 2. of

Vetoed In Part

Vetoed In Part

the statutes first apply to specifications for notices inviting bids or competitive sealed proposals for purchases and to specifications for orders for purchases placed on the first day of the 7th month beginning after publication.

(7mb) PROMISSORY NOTES ISSUED BY COUNTIES, UNFUNDED PENSION LIABILITIES. The treatment of section 67.04 (5) (b) 4. of the statutes first applies to promissory notes that are issued 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.

(2zt) WISCONSIN LAND COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on September 1, 2003.

(2zu) SOIL SURVEYS AND MAPPING. The repeal of sections 16.967 (11) and 20.505 (1) (ik) and (kt) of the statutes takes effect on September 1, 2005.

Vetoed In Part

Vetoed In Part

(4) ADDITIONAL BIWEEKLY PAYROLL. The repeal of section 20.865 (1) (e), (jm), (m), (tm) and (x) of the statutes takes effect on June 30, 2001.

(5) PAY RATE OR RANGE ADJUSTMENTS. The repeal of section 20.865 (1) (cb) and (ib) of the statutes takes effect on June 30, 2001.

(6zu) LAND USE PLANNING GRANTS. The repeal of sections 16.965 (title), (1), (2) and (4) and 20.505 (1) (cm) and (cn) of the statutes takes effect on July 1, 2010.

Vetoed In Part

(6zv) WISCONSIN LAND COUNCIL. The treatment of sections 15.01 (4) (by SECTION 12n) and 227.01 (1) (by SECTION 2353n) of the statutes and the repeal of section 16.965 (3) and (5) of the statutes take effect on September 1, 2003.

(7g) VENDORNET FUND. The repeal and recreation of section 25.61 of the statutes takes effect July 1, 2000.

Vetoed In Part

(7h) GRANT TO HERITAGE MILITARY MUSIC FOUNDATION. The treatment of section 20.505 (1) (kc) (by SECTION 520n) of the statutes and the repeal of sections 16.853 and 20.505 (1) (kw) of the statutes take effect on July 1, 2001.

(7wx) CENSUS EDUCATION BOARD. The repeal of section 15.105 (27) of the statutes takes effect on July 1, 2000.

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.

(2g) MEAT AND POULTRY INSPECTION. The treatment of section 97.42 (4) (intro.) and (4m) of the statutes takes effect on January 1, 2000.

Vetoed In Part

(2m) CONSUMER TELECOMMUNICATION SERVICES REPORT. The treatment of section 93.07 (7) (e) of the statutes takes effect on January 1, 2000.

(6m) EXCLUSIVE AGRICULTURAL ZONING. The treatment of section 91.75 (1) of the statutes takes effect on January 1, 2001.

SECTION 9410. Effective dates; commerce.

(3g) ONE– AND 2–FAMILY DWELLING CODE. The treatment of section 101.651 (title), (1) (title), (2), (2m), (3s), (4) (title), (5) (title) and (6) (title) of the statutes, the renumbering and amendment of section 101.651 (3) and (3m) of the statutes, the creation of section 101.651 (3) (title) and (b) and (3m) (title) of the statutes and SECTION 9110 (3g) and (3j) of this act take effect on May 1, 2000.

(4) GAMING ECONOMIC DIVERSIFICATION GRANTS AND LOANS. The treatment of sections 20.143 (1) (id) and (km), 20.505 (8) (hm) 6m. and 560.138 of the statutes and the amendment of section 560.139 (1) (a) and (2) (a) of the statutes take effect on July 1, 2000.

Vetoed In Part

(4x) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM. The treatment of section 145.245 (4) (a) and (c), (4m) (a) to (c) and (d), (5) (a) 1. (by SECTION 2221m), 2. (by SECTION 2223m) and 3., (5m) (a), (7) (d) and (11m) (am), (b) and (c) of the statutes and SECTION 9310 (4x) of this act take effect on February 1, 2000.

(5) GAMING ECONOMIC DEVELOPMENT GRANTS AND LOANS. The amendment of section 20.143 (1) (kj) of the statutes takes effect on July 1, 2001.

(5x) REGULATION OF MOBILE HOMES AND RECREATIONAL VEHICLES. The treatment of sections 16.366 (title), (1), (2), (2m) and (3), 20.143 (3) (j), 20.505 (7) (jf), 25.46 (19), 101.02 (20) (a) and (21) (a), 101.91 (1), (1g), (1m), (2g), (2m), (3), (4), (5) and (6), 101.92 (9), 101.9202, 101.9203, 101.9204, 101.9205, 101.9206, 101.9207, 101.9208, 101.9209, 101.921, 101.9211, 101.9212, 101.9213, 101.9214, 101.9215, 101.9216, 101.9217, 101.9218, 101.9219, 101.922, 101.9221, 101.9222, 101.94 (8) (a) and (c), 101.951, 101.952, 101.953, 101.954, 101.955, 101.965, 138.056 (1) (b) and (c), 138.09 (7) (jm) 1. b., 196.01 (3n), 218.10 (1), (1m), (1t), (2), (3), (4), (5), (6), (7), (8), (8m) and (9), 218.101, 218.11 (title), (1), (2) (am) 4. (by SECTION 2342Lo), (b) and (d), (3), (6) (intro.), (d) and (n) and (7), 218.12 (title), (1), (2) (a) (by SECTION 2342ps), (am) 1. (by SECTION 2342pu) and 3. (by SECTION 2342pw), (b) and (d), (3), (5) and (6), 218.14, 218.15, 218.16, 218.165, 218.17 (1), (2) and (3), 227.43 (1) (bg), 340.01 (11) (intro.), (14), (28), (29), (48r) and (72) (a), 341.04 (1) (intro.), 341.05 (26), 341.12 (1), 341.25 (1) (intro.) and (i) (by SECTION 2732d.), 341.47 (1) (intro.), 341.51 (1) and (2), 341.53, 341.62, 342.18 (4) (a) and (b), 342.22 (3) (a), 342.30 (2), 343.055 (1) (d), 409.302 (3) (f), 411.104 (1) (a), 422.201 (12m), 422.209 (1m) (a) 2., 422.413 (2g) (intro.) and 779.85 (6) and subchapter VI (title) of chapter 218 of the

statutes and SECTIONS 9101 (3x), 9110 (7n), 9150 (5xy) and 9201 (2x) of this act take effect on July 1, 2000.

(9yt) RISK BASED ANALYSIS AND REIMBURSEMENT CHANGES TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (2e) (c), (3) (cp), (cs) and (g) and (4) (c) 11. of the statutes and SECTION 9310 (3yt), (3yu) and (3yv) of this act take effect on November 1, 1999.

SECTION 9411. Effective dates; corrections.

Vetoed In Part

(5d) SUNSET OF PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM. The treatment of sections 20.410 (1) (gi), (hm) and (km), 20.455 (5) (i), 108.07 (8) (b), 303.01 (8) (b), (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the repeal of section 303.01 (2) (em) and (11) of the statutes take effect on March 1, 2001, if the certification described in SECTION 9111 (2d) (c) of this act occurs.

(6xt) 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., 46.036 (4) (a), 48.02 (17), 48.48 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a) 1., 48.66 (2m) (am) 1., 48.66 (2m) (b) (by SECTION 1156d), 48.66 (2m) (bm) (by SECTION 1157d), 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., 118.125 (4), 165.76 (1) (a) (by SECTION 2288g), 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) (cm) 1., 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (7) (a) 3., 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 (4g) (a), 938.357 (4g) (b), 938.357 (4g) (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.51 (1) (intro.), 938.51 (1m), 938.51 (4) (intro.), 938.57 (1) (c), 938.57 (4), 938.78 (3), 939.635 (1), 939.635 (2) (b), 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7) (b), 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 and SECTION 9311 (5xt) 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.

(7m) DISBURSEMENT OF HUBER WAGES. The treatment of sections 303.08 (5) (a), (b) and (c) of the statutes takes effect on January 1, 2000.

SECTION 9414. Effective dates; elections board.

(2g) CHALLENGING ELECTORS. The treatment of sections 6.92 (intro.) and (1) to (6) and 6.925 (intro.) and (1) to (6) of the statutes takes effect on the first day of the 6th month beginning after publication.

SECTION 9415. Effective dates; employe trust funds.

(1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE. The repeal of sections 13.94 (1) (p), 15.07 (1) (b) 22., 15.165 (5) and 20.515 (2) (title), (a), (b) and (g) and subchapter X of chapter 40 of the statutes and the amendment of section 40.02 (26) (intro.) (by SECTION 930wm) and (28) (by SECTION 931c) of the statutes take effect on January 1, 2010.

(1h) APPROPRIATION FOR PROVISION OF BENEFITS. The repeal of section 20.515 (1) (v) of the statutes takes effect on July 1, 2001.

SECTION 9419. Effective dates; financial institutions.

(2g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV of chapter 224 [precedes 224.90] of the statutes and the treatment of SECTION 9319 (1g) of this act take effect on the first day of the 6th month beginning after publication.

SECTION 9421. Effective dates; governor.

(1x) ASSISTANCE FROM DEPARTMENT OF WORKFORCE DEVELOPMENT. The treatment of section 20.445 (3) (mc) (by SECTION 474ac) of the statutes and the repeal of sections 14.18 and 20.525 (1) (kb) of the statutes take effect on January 6, 2003.

SECTION 9423. Effective dates; health and family services.

(1) ELIMINATION OF COUNCIL ON LONG–TERM CARE. The repeal of sections 15.197 (5), 46.281 (1) (a) and (b) and 46.282 (1) of the statutes takes effect on July 1, 2001, or on the day after publication of the 2001–03 biennial budget act, whichever is later.

(3) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. The treatment of section 46.45 (2) (a) of the statutes takes effect on July 1, 2001.

(4w) BRIGHTER FUTURES INITIATIVE AND TRIBAL ADOLESCENT SERVICES. The treatment of sections 20.435 (3) (fm), 20.9275 (2) (intro.), 46.48 (6), 46.715, 46.99, 46.995 (title), (1) (title), (a), (b), (c), (d), (e) and (f), (1m), (2) (a), (b), (c) and (d) and (4), 46.997 (title), (1) (intro.), (a), (b), (c), (d), (e) and (f), (2) (a), (b), (c) and (d), (3), (4) and (5), 46.99 and 51.45 (5) of the statutes, the repeal of section 46.996 of the statutes, the renumbering and amendment of sections 46.995 (1) (intro.), (2) (intro.) and (3) and 46.997 (2) (intro.) of the statutes and the repeal

and recreation of section 20.435 (3) (eg) and (km) of the statutes take effect on July 1, 2000.

(5) COMMUNITY–BASED RESIDENTIAL FACILITY CLIENT REFERRALS. The treatment of sections 46.27 (7) (cj) 3. a. and (11) (c) 5n. a., 46.277 (5) (d) 1n. a. and 50.035 (7) (c) of the statutes and SECTION 9323 (3) of this act take effect on January 1, 2000.

(6) SUPPLEMENTAL PAYMENT FOR CERTAIN RECIPIENTS OF SUPPLEMENTAL SECURITY INCOME. The treatment of section 49.775 (4) of the statutes takes effect on November 1, 1999, or on the day after publication, whichever is later.

(7) INDIAN GAMING FUNDS. The treatment of sections 20.435 (4) (bs), 20.505 (8) (hm) 18. and 49.029 (2) (by SECTION 1207) of the statutes takes effect on July 1, 2000.

(8) INDIAN GAMING FUNDS. The treatment of sections 20.435 (5) (ek), 20.505 (8) (hm) 18b. and 146.19 (2) (intro.) of the statutes takes effect on July 1, 2000.

(10) LICENSING OF RADIOACTIVE MATERIAL. The treatment of section 254.365 of the statutes takes effect on January 1, 2003.

Vetoed In Part

(10m) ADMINISTRATION OF MEDICAL ASSISTANCE. The treatment of sections 20.445 (3) (dz) (by SECTION 467b), 49.33 (1) (b) and (8) (a), 49.45 (3) (a) and 49.496 (4) of the statutes and SECTION 9157 (2p) take effect on March 1, 2000.

(10v) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes effect on January 1, 2000, or on the day after publication, whichever is later.

Vetoed In Part

(11g) NEWBORN HEARING SCREENING PROGRAM.

(a) The amendment of section 69.22 (1) (c) of the statutes takes effect on October 1, 1999, or on the first day of the first month beginning after publication, whichever is later.

(b) The amendment of section 20.435 (5) (jk) of the statutes takes effect on July 1, 2001.

(c) The repeal of sections 20.435 (5) (jk) and 253.115 (4) of the statutes, the amendment of section 20.433 (1) (h) (by SECTION 368s) of the statutes and the repeal and recreation of section 69.22 (1) (c) of the statutes take effect on January 1, 2002.

(12m) GRANT FOR ST. CLARE HEALTH MISSION. This treatment of section 20.435 (4) (gp) (by SECTION 405h) of the statutes takes effect on July 1, 2001.

(12xx) CAREGIVER BACKGROUND CHECKS. The treatment of sections 48.685 (2) (bg) (by SECTION 1170n), (4m) (b) (intro.) (by SECTION 1173j) and (5m) (by SECTION 1176g) and 50.065 (4m) (b) (intro.) (by SECTION 1521zi) of the statutes takes effect on February 1, 2000.

(12z) ALCOHOL AND OTHER DRUG TESTING OF MINORS. The treatment of section 51.48 of the statutes and SECTION 9323 (13z) of this act take effect on the first day of the 2nd month beginning after publication.

(13t) PERSONAL NEEDS ALLOWANCE. The treatment of section 49.45 (7) (a) of the statutes takes effect on July 1, 2001.

(14d) FUNERAL AND BURIAL EXPENSES.

(a) The treatment of section 49.30 (1) (b) (by SECTION 1355w) of the statutes takes effect on January 1, 2001. **Vetoed In Part**

(b) The treatment of section 49.30 (1) (b) (by SECTION 1355wb) of the statutes takes effect on July 1, 2001. **Vetoed In Part**

(14g) COMMUNITY MARRIAGE POLICY PROJECT. The repeal of section 49.175 (1) (ze) 10. of the statutes takes effect on October 1, 2003.

SECTION 9425. Effective dates; Housing and Economic Development Authority.

(3g) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. The repeal of section 234.51 (2) (c) of the statutes takes effect on July 1, 2000.

SECTION 9426. Effective dates; insurance.

(4g) POINT–OF–SERVICE OPTION PLANS. The treatment of sections 40.05 (4) (ag) 2., 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c) and (2) and 609.20 (3) and (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the statutes and the creation of section 609.10 (3) (b) of the statutes and SECTION 9326 (4g) of this act take effect on the first day of the 18th month beginning after publication. **Vetoed In Part**

SECTION 9427. Effective dates; investment board.

(1g) ABOLITION OF BONUS COMPENSATION PROGRAM FOR CERTAIN EMPLOYES OF THE INVESTMENT BOARD. The treatment of sections 25.156 (2), (6) and (7), 25.16 (7), 25.165 (1) and 40.63 (1) (c) of the statutes and SECTION 9127 (1g) of this act take effect on July 1, 2000.

SECTION 9436. Effective dates; natural resources.

(1) SNOWMOBILE SAFETY PROGRAM.

(a) The treatment of section 350.055 (by SECTION 2802) of the statutes takes effect on January 1, 2000, or on the day after publication, whichever is earlier.

(b) The treatment of section 350.05 (3) of the statutes and the repeal and recreation of sections 350.05 (2) and 350.055 of the statutes take effect on January 1, 2001.

(2) DEPARTMENTAL HUNTING AND RECREATIONAL SAFETY PROGRAMS. The treatment of sections 20.370 (3) (at), 23.33 (5) (d), 29.563 (11) (b) 1., 29.591 (3) and 30.74 (1) (b) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(3) BOAT CERTIFICATION AND REGISTRATION PERIODS. The treatment of section 30.52 (2) and (3) (b), (c), (d), (e), (f), (fm), (h), (i) and (im) of the statutes and SECTION 9336 (5) of this act take effect on April 1, 2000.

(5vw) AQUATIC NUISANCE SPECIES. The repeal of section 30.1255 (4) of the statutes takes effect on July 1, 2001.

(5vx) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION AND AQUATIC NUISANCES. The repeal and recre-

ation of section 20.370 (5) (cq) of the statutes takes effect on July 1, 2001.

(5x) PORTAGE CANAL PROJECT. The treatment of section 20.370 (5) (cq) (by SECTION 319h) of the statutes takes effect on July 1, 2000.

Vetoed In Part

(6) ELK TRANSPORTATION. The treatment of sections 20.370 (1) (hk) and 20.505 (8) (hm) 8g. of the statutes takes effect on July 1, 2000.

(6t) LAKE SUPERIOR HARBOR OF REFUGE. The treatment of sections 20.924 (2) and 30.92 (4m) of the statutes takes effect on January 1, 2000.

(8) DRINKING WATER STUDY REPEAL. The repeal of sections 20.370 (6) (ck) and 20.505 (8) (hm) 17g. of the statutes takes effect on July 1, 2001.

(8c) DRY CLEANING FACILITIES. The treatment of section 292.65 (1) (d) 9. of the statutes takes effect retroactively to October 14, 1997.

(8m) STUDY ON WILD CRANES. The amendment of section 20.370 (1) (Lk) of the statutes takes effect on July 1, 2001.

(9c) POSTING AIR EMISSIONS INFORMATION ON THE INTERNET. The treatment of section 285.17 (3) of the statutes takes effect on the first day of the 3rd month beginning after publication.

Vetoed In Part

(9d) BONUS DEER HUNTING PERMITS. The treatment of sections 20.370 (5) (fq), 29.181 (2m) (intro.), 29.229 (4) (f), 29.559 (1), (1r) and (3) and 29.563 (2) (c) 1. and (d) and (14) (c) 4. and SECTION 9336 (2) of this act take effect on April 1, 2000.

(10g) STEWARDSHIP PROGRAMS. The treatment of sections 23.094 (3g) and 23.098 (4) (am) of the statutes and the repeal and recreation of sections 23.092 (6), 23.094 (8) and 23.175 (4) of the statutes take effect on July 1, 2000.

(10n) GROUP FISHING LICENSE. The treatment of sections 29.024 (2g) (a) 1., 29.193 (5) and 29.563 (3) (a) 7m. of the statutes takes effect on the 1st day of the 7th month beginning after publication.

(11m) RECYCLING AND ENVIRONMENTAL FEES. The treatment of sections 25.49 (3), 289.645 and 289.67 (1) (cm) and (cp) of the statutes takes effect on January 1, 2000.

Vetoed In Part

(11z) STEWARDSHIP DEBT SERVICE. The repeal of section 20.370 (7) (au) of the statutes and the repeal and recreation of sections 20.370 (7) (aa) and 20.866 (1) (u) of the statutes take effect on July 1, 2001.

SECTION 9439. Effective dates; public instruction.

(1g) SCHOOL SAFETY PLANS. The creation of section 120.12 (26) of the statutes takes effect on the first day of the 6th month beginning after publication.

SECTION 9442. Effective dates; regulation and licensing.

Vetoed In Part

(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.

(1m) REGULATION OF ATHLETIC TRAINERS. The treatment of sections 146.81 (1) (eq), 180.1901 (1m) (bs), 252.14 (1) (ar) 4q., 440.08 (2) (a) 14f., 450.10 (3) (a) 5q., 895.48 (1m) (intro.) and (b) of the statutes and of subchapter VI of chapter 448 of the statutes take effect on the first day of the 13th month beginning after publication.

(2c) IRREVOCABLE BURIAL TRUSTS.

Vetoed In Part

(a) The treatment of section 445.125 (1) (a) 2. (by SECTION 2923mm) of the statutes takes effect on January 1, 2001.

(b) The treatment of section 445.125 (1) (a) 2. (by SECTION 2923mn) of the statutes takes effect on July 1, 2001.

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.

(3tx) WINE AND LIQUOR SALES TAX EXEMPTION. The renumbering and amendment of section 139.03 (5) (b) of the statutes and the creation of section 139.03 (5) (b) 2. of the statutes take effect on the first day of the 2nd month beginning after publication.

(4g) TIME–SHARE PROPERTY. The treatment of sections 77.21 (1), 77.51 (4) (c) 6., 77.52 (2) (a) 1. and 2. and 707.46 (3) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(7d) TRANSITIONAL ADJUSTMENT FEE CREDIT. The treatment of section 76.91 (1m) of the statutes takes effect retroactively to May 1, 1998.

(7f) LOCAL EXPOSITION DISTRICT TAXES. The treatment of sections 20.566 (1) (gg), 20.835 (4) (gg), 66.75 (1m) (f) 3., 77.982 (3) and 77.991 (3) of the statutes takes effect on the first day of the first month beginning after publication.

(7fg) TAXABLE SALES. The treatment of section 77.54 (20) (c) 4m. of the statutes takes effect on the first day of the 2nd month beginning after publication.

(7g) VENDING MACHINE SALES. The treatment of section 77.54 (20) (c) 6. of the statutes takes effect on July 1, 2001.

(7i) CHARTER TOUR BOATS; COMMERCIAL FISHING EQUIPMENT. The treatment of section 70.111 (3) of the statutes takes effect on the January 1 after publication.

(7v) SALES TAX ON AUCTIONS. The treatment of section 77.51 (9) (e) of the statutes takes effect on the January 1 after publication.

Vetoed In Part (8c) RAILROAD TRACKS AND RIGHTS–OF–WAY. The treatment of section 77.54 (44) of the statutes takes effect on January 1, 2001.

Vetoed In Part (8d) CIGARETTE TAX STAMP DISCOUNT. The treatment of section 139.32 (5) of the statutes takes effect on July 1, 2000.

(24e) LOTTERY FUND. The repeal and recreation of sections 25.75 (1) (b), 71.07 (3m) (b) 1. a. and (c) 3., 71.28 (2m) (b) 1. a. and (c) 3., 71.47 (2m) (b) 1. a. and (c) 3. and 79.10 (11) (b) of the statutes and the creation of section 25.75 (1) (c) 3. and (3) (b) and (e) of the statutes take effect on the effective date of the 2001–03 biennial budget act.

Vetoed In Part

SECTION 9446. Effective dates; supreme court.

(2h) PENALTY ASSESSMENT APPROPRIATION. The repeal of sections 20.505 (6) (j) 16. and 20.680 (2) (kp) of the statutes and the amendment of section 758.19 (4) (by SECTION 3050q) of the statutes take effect on July 1, 2000.

SECTION 9449. Effective dates; tourism.

(2rs) INTERNET REFERRAL SYSTEM GRANTS. The repeal of section 20.380 (1) (c) of the statutes takes effect on July 1, 2001.

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.

(3g) GRADUATED DRIVER LICENSING.

(a) The treatment of sections 121.41 (2), 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c), and (3), 343.17 (3) (a) 13., 343.19 (1) and 343.21 (1) (i) and (ir) of the statutes takes effect on the first day of the 4th month beginning after publication.

(b) SECTION 9150 (5g) of this act takes effect on the day after publication.

(c) The treatment of sections 343.085 (2m), (3) and (5) and 343.32 (2) (bc) of the statutes, the renumbering and amendment of sections 343.085 (1) and 343.32 (2) (c) of the statutes, the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes and SECTION 9350 (4g) of this act take effect on the first day of the 10th month beginning after publication, or on September 1, 2000, whichever is later.

(4c) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a), 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes and SECTION 9350 (10d) of this act take effect on the first day of the first month beginning after publication.

SECTION 9454.0Effective dates; University of Wisconsin System. Vetoed In Part

(1g) LAWTON MINORITY UNDERGRADUATE GRANTS. The treatment of section 20.285 (4) (dd) of the statutes takes effect on July 1, 2000.

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. Vetoed In Part

(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. Vetoed In Part

(6f) PROHIBITION OF FINANCIAL ASSISTANCE IF NAME ON SUPPORT LIEN DOCKET. The treatment of sections 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34 (1) (b), 39.30 (2) (e), 39.38 (2) (by SECTION 912c), 39.435 (6), 39.44 (4), 39.47 (2m), 45.25 (4) (b) (intro.) and 2., 45.356 (6) (intro.) and (b), 45.396 (6) (intro.) and (b), 45.74 (6) (intro.) and (b), 49.855 (7), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c), 234.65 (3) (f), 234.83 (2) (a) 3., 234.90 (3) (d) and (3g) (c), 234.905 (3) (d), 281.65 (8) (L) and 949.08 (2) (g) of the statutes and the repeal of section 49.854 (2) (e) of the statutes take effect on the date stated in the notice published by the department of workforce development in the Wisconsin Administrative Register under section 49.854 (2) (e) of the statutes, as created by this act, or on the effective date of this subsection, whichever is later.

(6xt) ADULT WORKFORCE INVESTMENT PROGRAMS. The treatment of sections 71.07 (2dj) (am) 1., 71.28 (1dj) (am) 1., 71.47 (1dj) (am) 1., 106.15 (1) (b), (c) and (d), (3) (intro.), (4), (5) (intro.) and (7), 560.63 (4) and 560.737 (1) (b) of the statutes and the amendment of section 106.11 (by SECTION 2005m) of the statutes take effect on July 1, 2000, or on the day after publication, whichever is later.

(6xu) YOUTH WORKFORCE INVESTMENT PROGRAMS. The treatment of section 106.11 (2) of the statutes, the renumbering of section 106.11 (1) of the statutes and the

amendment of section 115.28 (24) (by SECTION 2040d) of the statutes take effect on April 1, 2000, or on the day after publication, whichever is later.

(7yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

(a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION 2002c), 120.13 (2) (g), 565.30 (5m) (a) (by SECTION 3025pa), 632.897 (10) (a) 3., 767.045 (1) (a) 2., (am) and (e) and (4m), 767.078 (1) (a) 1. and (2), 767.11 (12) (b), 767.115 (title) and (4), 767.23 (1) (a), (am), (c) and (k) and (1n), 767.24 (1), (1m), (2) (a), (am), (b) and (c), (4) (c) and (5) (intro.), (a), (bm), (cm), (dm), (em), (fm), (g) and (jm), 767.242, 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b), (5) and (6) (intro.), 767.253, 767.254 (2) (intro.), 767.261 (intro.), 767.265 (1) (by SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267 (1), 767.29 (1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION 3065cf), 767.32 (1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m), 767.45 (7), 767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5), (5d) and (5p), 767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d) 1. and 3., 808.075 (4) (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and amendment of section 767.24 (4) (a) of the statutes and the creation of section 767.24 (4) (a) 3. of the statutes and SECTION 9357 (9yo) of this act take effect on the first day of the 7th month beginning after publication.

Vetoed In Part

Vetoed In Part

Vetoed In Part

(b) The treatment of section 767.303 (1) (by SECTION 3065cg) of the statutes 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, or on May 1, 2001, whichever is earlier.

SECTION 9458. Effective dates; other.

(2x) HUMAN BIOLOGICAL SPECIMENS FOR DEOXYRIBONUCLEIC ACID ANALYSIS. The treatment of sections 973.046 (1) (intro.), (a) and (b) and (1g) and 973.047 (1) (a) and (b) of the statutes and SECTION 9358 (5x) of this act take effect on January 1, 2000.

(2zo) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section 236.13 (1) (c) of the statutes and SECTION 9358 (5zv) of this act take effect on January 1, 2000.

(3c) INTOXICATING LIQUOR DEALERSHIPS. The treatment of section 135.066 of the statutes, the renumbering and amendment of section 135.02 (3) of the statutes and the creation of section 135.02 (3) (b) of the statutes of this act take effect retroactively to October 1, 1998.

Vetoed In Part

(4m) JUSTICE INFORMATION FEE; ALLOCATION CHANGES. The treatment of sections 20.505 (1) (ja) (by SECTION 517e) and 20.680 (2) (j) (by SECTION 605d) of the statutes takes effect on July 1, 2000.

(5g) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION. The creation of section 895.505 of the statutes takes effect on the first day of the 4th month beginning after publication.

(6g) TALENT INCENTIVE GRANTS; WISCONSIN HIGHER EDUCATION GRANTS TO UNIVERSITY OF WISCONSIN SYSTEM STUDENTS. The treatment of section 20.235 (1) (fd) and (fe) of the statutes takes effect on July 1, 2000.

Vetoed In Part